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**STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL
ACTIVITIES**

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Copyright Limitations and Exceptions for Educational Activities

Executive Summary

The importance of education in any society is axiomatic. Even where copyright legislation and international treaties seek to protect the rights of authors in their works and intellectual creations, the special status of the use of works to promote and facilitate education has been preserved.

It is in this context that this study undertakes a review of the limitations and exceptions to national legislation that deal with educational activities, to better understand how national legislatures have balanced the public interest in advancing education with the interests of authors and artists in their intellectual creations. The copyright legislation of all 189 member states of WIPO¹ that pertain to educational activities is the focus of this review.

This study focuses on eight categories of limitations and exceptions that pertain to educational activities. These are provisions that relate to private or personal use (to reflect the individual and self-edification aspect of personal education and research), quotations (since learning and instruction involve illustration, argumentation, referral, comments and criticisms), the use of reproductions for educational purposes (including both single and multiple copies, by both reprographic and non-reprographic means, with or without collective licensing), educational publications (as instructional material for use by educational institutions), school performances (to enable performances as part of educational curricula), educational communications (which encompass broadcasts, cable transmissions, the making of recordings of such communications and performances and online distance learning via the “making available” right), compulsory licences for reproduction and translation of works for educational purposes (which are special provisions for developing countries that are based on Articles II and III of the Appendix to the Berne Convention), and restrictions to the protection of technological protection measures and rights management information (where digital rights management has to be circumvented in the interests of conducting educational activities).

Of the 1,723 provisions extracted from the 2,048 pieces of reviewed copyright legislation of 189 member states, 1,553 of them are limitations and exceptions that fall into the first six categories outlined above, 77 provisions pertain to compulsory licences for reproduction and translation, and 93 provisions pertain to the restriction of digital rights management for, inter alia, educational purposes. Of the 1,553 limitations and exceptions provisions, 332 provisions from 189 member states relate to private and personal use, 251 provisions from 183 member states relate to quotations, 379 provisions from 154 member states relate to educational reproductions, 149 provisions from 127 member states relate to educational publications, 189 provisions from 123 member states relate to educational performances, and 257 provisions from 135 member states relate to educational broadcasts, communications and recordings. The significant number of provisions that relate to private and personal use confirms their relevance as they sanction the self-edification and personal instruction perspective of education. Likewise, the breadth of different formulations for the 379 educational reproduction and 257 educational communication provisions reflects the diversity of educational activities that could be characterized as reproductions and communications. However, to the extent that the activities involve the reproduction of multiple copies of works, which could have an unreasonably prejudicial effect on the legitimate interests of the authors of such works, many such

¹ As of October 2016.

reproduction provisions are subject to the requirement that the copyright owners are entitled to equitable remuneration.

Also significant are the provisions that permit the use of quotations, since teaching is often conducted through illustration, argumentation, referral, comments and criticisms.

What are less used are the provisions for compulsory licenses for translations and reproductions (77 provisions from 37 member states), which are used by developing countries to make works available and accessible for educational purposes. The status and current utility of many of these provisions is also called into doubt because many member states have allowed their Berne Appendix Article I declarations to lapse.

While there are currently only a few provisions (93 provisions from 49 member states) to restrict the protection of digital rights management where it relates to, inter alia, educational activities, it is noteworthy that these provisions have evolved in the presence of minimal guidance from international treaties.

It is difficult for a study with such limited resources and encompassing such diverse sources to draw definitive conclusions about the state of limitations and exceptions for educational activities on an international level. However, it would be obtuse not to make certain observations which can be drawn from this large scale analysis of these provisions, with a view to affording member states and policy makers some guidance in law reform, both at a national level as well as at an international level. In this regard, five observations may be made.

First, any discussion of educational limitations and exceptions will be incomplete without proper consideration being given to the private or personal use provisions as well as the quotation provisions.

Second, quotations, educational publications and school performances provisions receive generally uniform implementation in member states, both by way of their general acceptance in the national legislation of member states that have these provisions, and also in their implementational details. Remuneration is generally not required in relation to quotations and school performances, but some member states have enacted provisions to prescribe remuneration for source works incorporated into educational publications. Nonetheless, as these categories of provisions are not as widely implemented as the other categories, there is room for member states who have not implemented such provisions to reform their national legislation accordingly.

Third, the implementations of limitations and exceptions for educational reproductions, and educational broadcasts, communications, and recordings, are considerably varied. The stated purposes behind these provisions, however, are generally clear (for teaching, education, instruction, science and research). For educational reproductions, the primary restriction is that the reproductions not be conducted for commercial gain or advantage, or the unavailability of a commercial licence or lack of awareness of its availability for educational reproduction. To the extent that the scope of the reproduction right is contingent on the availability and scope of commercial licences, this is a matter that has to be investigated further as it is beyond the scope of this study. The reproduction provisions also prescribe qualitative and quantitative limits and restrictions placed on educational reproductions. On the other hand, the broadcast, communications and recordings provisions exhibit a larger spectrum of implementational variations, as few member states use the "by way of illustration" language or even its variations in Article 10(2) of the Berne Convention to formulate their educational broadcasts, communications and recordings provisions.

For the most part, educational reproduction, broadcast, communications and recordings provisions do not attract the payment of equitable remuneration to the authors and rightholders. However, while educational reproduction provisions that do prescribe equitable remuneration are primarily directed at the making of multiple copies, the use of reprographic equipment and the reproduction of source works by third parties, no such clear patterns have been observed in relation to the provisions requiring equitable remuneration for educational broadcasts, communications and recordings.

Fourth, on the issue of online distance learning, very few member states have specifically provided for sui generis provisions that explicitly address the distribution of online content for instructional purposes. However, this does not mean that other member states do not have provisions that address the issue. But whether or not member states' "communication to the public" or "making available" rights encompass the online dissemination of digital content is largely a matter for substantive legal treatment in the respective member states. In addition, online distance learning will invariably engage in some form of reproduction of the source works that are being communicated, by virtue of the fact that the electronic medium is involved, provisions that enable online distance learning will also have to take this issue into consideration.

Finally, the reason why member states have not renewed their Article I declarations under the Appendix should be investigated. At the same time, the enactment of provisions in member states' national legislation to provide for exceptions to the protection of TPM and RMI, either directly or indirectly for educational purposes, demonstrates an interesting trend.

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Introduction

This study, also entitled Updated Study on Copyright Limitations and Exceptions for Educational Activities, is a study that updates and consolidates the five 2009 regional studies on the same subject, namely, WIPO Study on the Copyright Exceptions for the Benefit of Educational Activities for Asia and Australia,² Study on Limitations and Exceptions for Copyright and Related Rights for Teaching in Africa,³ Study on Copyright Limitations and Exceptions for Educational Activities in North America, Europe, Caucasus, Central Asia and Israel,⁴ Study on Limitations and Exceptions for Copyright for Educational Purposes in the Arab Countries,⁵ and Study on the Limitations and Exceptions to Copyright and Related Rights for the Purposes of Educational and Research Activities in Latin America and the Caribbean.⁶ This study reviews the copyright limitations and exceptions that deal with educational activities in the national legislation of all 189 member states of WIPO, as of October 2016. (An earlier draft of this study, which reviewed the national legislation of 136 member states of WIPO, was released in May 2016.)⁷

The axiomatic importance of education in any society needs no further elaboration. Article 26(1) of the 1948 UN Universal Declaration of Human Rights asserts that “everyone has the right to education”.⁸ The very first modern copyright legislation, the Statute of Anne 1709, was entitled “An Act for the Encouragement of Learning”. While it is more commonly remembered for the fact that it replaced the monopoly in printed books granted to printers with rights granted to authors, it should not be forgotten that it also placed emphasis on the continued accessibility of books in public libraries and their affordability to university staff and students.⁹ Even where the focus of the first draft of the Berne Convention was “to constitute a general Union for the protection of the rights of authors in their literary works and manuscripts”,¹⁰ a philosophy subsequently embodied in Article 1 of the Berne Convention,¹¹ the drafters were careful not to encroach on the special status of educational usage of copyright material.

Thus, the “liberty of extracting portions from literary or artistic works for use in publications designed for educational or scientific purposes” was expressly reserved for countries of the Berne Union.¹² Article 10(2) of the Berne Convention is relied on as the primary provision that enables Berne Union members to permit, either through national legislation or bilateral agreements between the member states, the utilization of works by way of illustration for “teaching”. At the Stockholm Conference, the conference delegates explained the meaning of the word “teaching” in the Committee’s reports as follows:

² Daniel Seng, WIPO STUDY ON THE COPYRIGHT EXCEPTIONS FOR THE BENEFIT OF EDUCATIONAL ACTIVITIES FOR ASIA AND AUSTRALIA (SCCR/19/7), Oct. 26, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130249.

³ Joseph Fometeu, WIPO STUDY ON LIMITATIONS AND EXCEPTIONS FOR COPYRIGHT AND RELATED RIGHTS FOR TEACHING IN AFRICA (SCCR/19/5), Oct. 26, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130241.

⁴ Raquel Xalabarder, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL ACTIVITIES IN NORTH AMERICA, EUROPE, CAUCASUS, CENTRAL ASIA AND ISRAEL (SCCR/19/8), Nov. 5, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130393.

⁵ Victor Nabhan, WIPO STUDY ON LIMITATIONS AND EXCEPTIONS FOR COPYRIGHT FOR EDUCATIONAL PURPOSES IN THE ARAB COUNTRIES (SCCR/19/6), Oct. 7, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130302.

⁶ Juan Carlos Monroy Rodríguez, WIPO STUDY ON THE LIMITATIONS AND EXCEPTIONS TO COPYRIGHT AND RELATED RIGHTS FOR THE PURPOSES OF EDUCATIONAL AND RESEARCH ACTIVITIES IN LATIN AMERICA AND THE CARIBBEAN (SCCR/19/4), Nov. 30, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130303.

⁷ Daniel Seng, WIPO DRAFT STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL ACTIVITIES (SCCR/32/4), May 9, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=337160.

⁸ Universal Declaration of Human Rights, General Assembly of the United Nations, Resolution 217A(III) of 10 December 1948, <http://www.un.org/en/documents/udhr/> (accessed 12 May 2009) [hereinafter *UN UDHR*].

⁹ U.K. Copyright Act 1709, 8 Anne c.19, ss. 4 and 5.

¹⁰ *HISTOIRE* (1889), 161.

¹¹ Art. 1, Paris Act of July 24, 1971 of the Berne Convention for the Protection of Literary and Artistic Works [hereinafter the “Berne Convention”].

¹² Berne Act, Article 8 (specifically stating that the Act would not affect national legislation for this purpose).

The wish was expressed that it should be made clear in this Report that the word “teaching” was to include teaching at all levels – in educational institutions and universities, municipal and State schools, and private schools.¹³

Article 10(2) possesses several key features. These are the fact that the limitation on the scope of use of the work (“by way of illustration”) does *not* preclude the use of the whole work in appropriate circumstances (“for teaching”),¹⁴ and that the source works that could be used for teaching purposes encompass “publications,¹⁵ broadcasts¹⁶ [and] sound [and] visual recordings¹⁷”. It has been persuasively argued that Article 10(2) is an “open, flexible and technology-neutral exception”¹⁸ which lends itself to not just reproductions and face-to-face instruction but also communications to the public, to enable and facilitate distance learning, correspondence courses, and teaching on demand. In fact, it ought also to be observed that Article 10(2) is described *not* as permitting the “reproduction” of literary or artistic works, but as permitting the “utilization” of such works, thereby sanctioning the creation of limitations and exceptions that go beyond “reproduction” and “communication”. In fact, it is the only provision in the Berne Convention that uses the term “utilization”. (In contrast, Article 10*bis*(1) permits the *reproduction, broadcasting or communication to the public* of works for informational purposes.) In this regard, it is instructive to see how member states to the Berne Convention have, in their interpretations, acknowledged the breadth of this Article and applied it in a very broad manner in their own national legislation to address the multi-faceted nature of public education.

However, Article 10(2) is not the only provision that engages education and education-related activities. The preparatory work for the Stockholm Conference and the discussions at the Stockholm Main Committee confirm that quotations for “scientific, critical, informative or educational purposes” are within the scope of Article 10(1).¹⁹ For scholarship purposes, works that may be quoted pursuant to Article 10(1) include not just books, articles, visual works and other printed matters, but also lectures, performances or broadcasts.²⁰ The purpose of the

¹³ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 1148. The quote goes on to state, “Education outside these institutions, for instance general teaching available to the general public but not included in the above categories, should be excluded.” This has been interpreted by some commentators to equate to formal education at elementary, intermediate and tertiary institutions of learning, which would lead to the award of an “official” degree. Sam Ricketson and Jane C Ginsburg, THE BERNE CONVENTION FOR THE PROTECTION OF LITERARY AND ARTISTIC WORKS: 1886-1986 at § 13.45 (2nd ed. 2006) [hereinafter RICKETSON AND GINSBURG - THE BERNE CONVENTION]. However, there is an alternative view that educational institutions offering adult education programmes such as language proficiency courses, literacy programmes and vocational training will come within its ambit, while continuing education or refresher programmes generally will not. Cf. RICKETSON AND GINSBURG - THE BERNE CONVENTION, at § 13.45; See Sam Ricketson, WIPO STUDY ON LIMITATIONS AND EXCEPTIONS OF COPYRIGHT AND RELATED RIGHTS IN THE DIGITAL ENVIRONMENT (SCCR/9/7) at 15, (WIPO, 2003) [hereinafter RICKETSON – STUDY ON LIMITATIONS AND EXCEPTIONS].

¹⁴ RICKETSON AND GINSBURG - THE BERNE CONVENTION, at § 13.45. See also RICKETSON – STUDY ON LIMITATIONS AND EXCEPTIONS, *supra* note **Error! Bookmark not defined.**, at 14.

¹⁵ The term “publications” is drawn from the expression “published works” as defined in Article 3(3) to mean copies of works published with their authors’ consent to satisfy the reasonable requirements of the public. This encompasses all permanent forms of fixation of a work, “whatever may be the means of manufacture of the copies”. RICKETSON AND GINSBURG - THE BERNE CONVENTION, §§ 6.29-6.30 at 260-262.

¹⁶ “Broadcasts” would be the wireless transmission for public reception of sounds or images and sounds of the representations. Rome Convention, Art. 2(f). Though this term is not defined in the Berne Convention, from the records of the Brussels Conference, it was clear that the delegates felt no need to define the term as they accepted that it was one means of wireless communication to the public. See also RICKETSON AND GINSBURG - THE BERNE CONVENTION, § 12.34 at 732.

¹⁷ “Sound and visual recordings” would include tapes, videograms, phonograph records and cinematographic films. RICKETSON AND GINSBURG - THE BERNE CONVENTION, § 13.45 at 793.

¹⁸ COPYRIGHT LAW HANDBOOK, at 379.

¹⁹ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 116-17 (Document S/1), 860-1 (minutes).

²⁰ RICKETSON AND GINSBURG - THE BERNE CONVENTION, § 13.41 at 786.

scholastic exposition or the robustness of the scholarship will determine if a lengthy quotation is necessary and thus “compatible with fair practice”.²¹

Both free uses for quotations in Article 10(1) and for teaching purposes in Article 10(2) are subject to the requirement set out in Article 10(3), which provides that mention should be made of the source and the name of the author if it appears thereon. After all, to the extent that it is feasible and practical, attribution of the source and authorship is consistent with robust research, good scholarship and sound academic practice.

As a general exception to the reproduction right in Article 9(1), Article 9(2) is also broadly worded to encompass various education-related activities. The Report of the Main Committee I at the Stockholm Conference referred to the making of a small number of photocopies of published works without payment for individual, private, personal, family or domestic use, for internal use of libraries, and use by scientific institutes.²² It subsumed all these uses by adopting what is now known as the three-step test in an attempt to encapsulate and generalize all these specific exceptions.²³ The discussion of the Main Committee I at the Stockholm Conference showed that the committee members were fully cognisant that teaching not only took place in schools, but also in private and at all levels.²⁴ As such, Article 9(2) was subsequently formulated to be consistent with the other provisions in the Convention and with the limitations and exceptions identified by the Committee to be enacted by the member states in their public and cultural interests. Many of these are education-related.²⁵

The Stockholm Revision Conference was also notable for its introduction of the Appendix to the Paris Act as a special concession to the needs of developing member states. By providing member states²⁶ with the facilities for awarding compulsory licences for translations (Article II) and for reproductions (Article III), the Berne Convention epitomizes the consensus between the developed member states as net exporters of intellectual works and developing member states as net consumers of such works, that it is in the common interests of all member states to promote and further the education of their populace.

Likewise, the limitations and exceptions allowable under the Rome Convention,²⁷ which deals with the rights of performers, phonogram producers and broadcasting organizations, are compendiously set out in Article 15 of the Convention. Its provisions regarding private use (Article 15(1)(a)) and teaching and scientific research (Article 15(1)(d)) mirror equivalent limitations and exceptions in the Berne Convention. In addition, Article 15(2) provides member states with an alternative set of allowable “limitations”, to be of the “same kind” as that provided

²¹ *Id.*, at 788.

²² *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 857-58 (Document S/1).

²³ *United States – Section 110(5) of the US Copyright Act*, para. 6.109, Report of the Panel, 15 June 2000, document WT/DS/160/R [hereinafter *WTO Panel*].

²⁴ *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 886-87.

²⁵ Out of the 14 existing exceptions identified, 5 of them relate to educational activities. These were noted to be quotations in school books and chrestomathies, private use, reproduction by photocopying in libraries, reproduction in special characters for the use of the blind, and sound recordings of literary works for the use of the blind. *Id.*, at *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 42 (Document S/1).

²⁶ Berne Convention, Appendix, Article I(1) (“Any country regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations which ratifies or accedes to this Act, of which this Appendix forms an integral part, and which, having regard to its economic situation and its social or cultural needs, does not consider itself immediately in a position to make provision for the protection of all the rights as provided for in this Act...”).

²⁷ International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations done in Rome, October 26, 1961 [hereinafter the “Rome Convention”].

for copyright works, with regards to the protection of performers, producers and broadcasting organizations.

For completeness, it should be noted that permissible limitations and exceptions pertaining to educational activities as set out in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) are also pegged to the Berne Convention and the Rome Convention.²⁸ Likewise, in “recognizing the need to maintain a balance between the rights of authors and the larger public interest, particularly education”,²⁹ the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) also leverage off, and do not detract from, the limitations and exceptions inscribed in the Berne Convention and the Rome Convention.³⁰

The Study

This very brief overview of the provisions in international copyright conventions and instruments in relation to educational activities shows that the copyright limitations and exceptions for the benefit of educational activities have always received the full attention of law and policy makers. While limitations and exceptions have been implemented in national legislation pursuant to the treaty obligations of member states, the overview above also shows how the drafting of education-related provisions in the Berne Convention has been shaped by national implementation of education-related limitations and exceptions. In reviewing the limitations and exceptions of national legislation that deal with educational activities, this study also seeks to demonstrate this relationship between national legislation and international treaties. But the sheer breadth and scope of educational activities means that any useful analysis has to adopt an expansive interpretation of what constitutes “education” that is both retrospective and forward looking.

Categories of Limitations and Exceptions

For all these reasons, this study undertakes a general review of national copyright legislation for limitations and exceptions for the benefit of educational activities by dividing them into eight categories.³¹ To enable the ensuing analysis in this study, an effort has been made to make these categories mutually exclusive. However, in practice, a single educational activity undertaken by an educational institution may engage two or more of the limitations and exceptions across multiple categories.

The first category pertains to the private or fair use exceptions for copyright works and entrepreneurial works. It is a stand-alone category, and both recognizes and acknowledges the private and self-actualization aspect of education and research as an individually-driven and self-edification process.³² For instance, the national legislation of many member states has

²⁸ Arts. 9(1), 14(6), Agreement on Trade-related Aspects of Intellectual Property Rights (1994).

²⁹ Preamble, WIPO Copyright Treaty (1996) [hereinafter WCT], Preamble, WIPO Performances and Phonograms Treaty (1996) [hereafter WPPT].

³⁰ Art. 1(2), WCT provides that “nothing in this Treaty shall derogate from existing obligations that Contracting Parties have to each other under the Berne Convention for the Protection of Literary and Artistic Works”. A similar proviso is found in Art. 1(1), WPPT.

³¹ These eight categories draw from, and are guided by five inclusionary categories and one residual category of educational activities identified in the APEC - IPEG Survey on Copyright Limitations & Exceptions (July 2009), at http://publications.apec.org/publication-detail.php?pub_id=971 [hereinafter *APEC Study*]. These are performances and displays of a work, transmissions of a work for purposes of distance learning, copying of materials by educational organizations or for educational use, copying and distribution of works for classroom use, copying of works for use in collections and textbooks, and other limitations and exceptions related to educational uses.

³² For instance, the *APEC Study* itself identified its lack of scrutiny of the personal use exceptions as a lacuna to be addressed. See *APEC Study*, at 5.

enumerated various categories of permissible uses of works for “research or private study”.³³ The private or personal use may even encompass private or family performances, in conjunction with preparations for various aspects of schooling curriculum, especially in the arts and humanities. However, as such private or personal uses may “conflict with the normal exploitation of the work”, the review also briefly examines the mechanisms by which equitable remuneration is provided to the authors and owners of various related rights. But limitations and exceptions as to the importation of works or their material embodiment for personal reasons are considered to be outside the ambit of this study since these are not necessarily or directly relatable to educational activities.

The second category deals with the use of quotations or “excerpts” as an integral part of education and study, which largely involve learning and instruction through illustration, argumentation, referral, comments, and criticisms. Among the issues evaluated are the condition and extent of the quotation, and its preclusions, in addition the attribution requirement. The line however is drawn at parodies, works of satire, spoofs and similar works, since such works pertain more towards humour, comedic effect and political and social commentary rather than academic and educational studies.

The third category deals with the many ways in which reproductions, both single and multiple, either by reprographic or by non-reprographic means, for various educational purposes and activities, with or without remuneration or licensing, collective licensing and statutory licensing schemes, are permitted under the various limitations and exceptions.³⁴

The fourth category recognizes the existence of specific limitations and exceptions existing in national copyright legislation to provide for the development and publication of anthologies, compilations, and other composite works for use in educational activities. This is separate from the third category, because the entity exercising this limitation or exception is not usually an educational institution, but a publishing body or entity providing instructional material for use by educational institutions.

The fifth category deals with the limitations and exceptions that permit school performances. Under the fifth category are examined limitations and exceptions that permit “semi-public” showings in clubs or societies, particularly prevalent as part of the extra-curricular activities of public and private schools.

The sixth category deals with the limitations and exceptions that permit broadcasts, cable transmissions or other forms of communication of educational programmes as part of school instruction, as well as recordings of these broadcasts, transmissions, programmes and communications by educational establishments. Many, but not all, member states have “making available” provisions: these will be classified under the sixth category. Some member states have enacted specific provisions that deal with online transmissions for distance learning. To the extent that these provisions engage both the reproduction right and the communication right, the provision will be classified under both the third category (scientific and educational

³³ *E.g.*, s 29, Canadian Copyright Act, c. C-42 (referring to fair dealing for the purpose of “research, private study, [and] education”); Art. 53(2) first sentence, item 1, Act on Copyright and Related Rights (Copyright Act, as amended up to Law of October 1, 2013), Germany (permitting the making of single copies of a work for one’s own “scientific use” (“wissenschaftlichen Gebrauch”), in contradistinction with “personal use” (“eigenen Gebrauch”).

³⁴ This study groups together the two separate classes of “copying of materials by educational organisations or for educational use” and “copying and distribution of works for classroom use”, as set out in the *APEC Study*. *APEC Study*, at 29, 31. As the terms suggest, these two activities actually represent a continuum of classroom instructional activities, and grouping them together reflects these activities in educational institutions in a more realistic way.

reproduction) as well as the sixth category (educational broadcasts, communications and recordings).

For historical and teleological reasons, a distinction is drawn between the playing of sound recordings to an audience on site (considered a performance), and the playing of sound recordings to an audience off-site (considered a communication). Art. 11 of the Berne Convention provides that authors of dramatic, dramatico-musical and musical works shall enjoy the exclusive right to authorize “the *performance* of their works, including such public performance by any means or process”³⁵ and “any *communication* to the public of the performance of their works”.³⁶ This suggests that performance and communication to the public are two separate and distinct exclusive rights. However, technological advancements have served to narrow that distinction. “As a rule, performing a work means to represent it by sight or sound, or both.”³⁷ But as a performance can be conveyed “by any means or process”, some jurisdictions give this term a very expansive interpretation. For instance, s 101 of the U.S. Copyright Act defines the term “perform” to mean “to recite, render, play, dance, or act it, either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, to show its images in any sequence or to make the sounds accompanying it audible”. It further defines the term “publicly” in the expression “to perform or display a work publicly” to mean “(1) to perform or display it at a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered; or (2) to transmit or otherwise communicate a performance or display of the work to a place specified by clause (1) or to the public, by means of any device or process, whether the members of the public capable of receiving the performance or display receive it in the same place or in separate places and at the same time or at different times.” This has the effect of fusing the exclusive rights of performance and communication to the public under one exclusive right.

Notwithstanding this narrowing, in an attempt to reflect the bifurcated nature (and origins) of these two exclusive rights, this study adopts the distinction adopted in the Berne Convention that a “performance” concerns “on-site” performances, and a “communication” concerns “off-site” ‘performances’. This is the approach adopted in the E.C. Copyright in the Information Society Directive.³⁸ For the purposes of this study, this means that a limitation or exception solely about an “acting” or a “school performance” will be interpreted to refer to an on-site performance by students or staff of an educational establishment and be brought under the fifth category of school performances. However, where the limitation or exception refers to a “performance, cinematographic projection and communication” of the same performance, it will be classified as two separate limitations or exceptions as to “performance” (under the fifth category as a school performance) and “public communication” (under the sixth category as a school broadcast).

Because the making of aural and visual recordings are closely connected to the use of broadcasts and communications, limitations and exceptions that deal with such recordings are also brought under the sixth category.

The seventh category examines the various provisions in national copyright legislation that provide for compulsory licences for reproduction and/or translation for educational purposes,

³⁵ Art. 11(1)(i).

³⁶ Art. 11(1)(ii).

³⁷ Goldstein and Hugenholtz, *INTERNATIONAL COPYRIGHT: PRINCIPLES, LAW, AND PRACTICE* (3rd ed., 2013), 327.

³⁸ E.C. Copyright in the Information Society Directive, Recital 23.

based on Articles II and III of the Berne Convention. In particular, this study focuses on the state of adoption of the Appendix to the Paris Act, from the perspective of the developing member states, and the latest state of their Article 1 declarations.

The eighth category examines the interplay between the existing limitations and exceptions for educational activities and the provisions on technological protection measures (“TPM”) and rights management information (“RMI”). In particular, this category examines the provisions that limit the application of TPM and RMI in relation to the limitations and exceptions for educational activities, or restrict their application to enable or facilitate educational activities. This is particularly pertinent for those member states who have acceded to the WCT and WPPT.

Exclusions from the Study

Even though they are peripherally related to education, this study will not review “free access” and “right to access” provisions because while these could arguably be part of an aspect of social education, they are more related to the public citizen's right to information. So not included in this study are the provisions relating to the reporting of current events, press reviews, public reading/recitation, public broadcasts, publication or broadcast of articles on current economic, political, scientific (including academic gatherings), social or religious topics which are the focus of public opinion. Limitations and exceptions that permit the publication of portraits for scientific, educational or cultural purposes are included in this category of exclusion.

Likewise, even though the limitations and exceptions pertaining to libraries (including libraries as functional units within educational institutions) and library-related activities such as lending of works and making of copies for the private study of individuals are closely related to educational activities, these were part of a separate and comprehensive WIPO Study on Copyright Limitations and Exceptions for Libraries and Archives by Kenneth Crews.³⁹ For this reason, these limitations and exceptions will not be considered in this study.

Similarly, to the extent that the national legislation contains limitations and exceptions that address the usage of copyright works for the benefit of educational activities of institutions that assist persons with intellectual disabilities, to avoid any overlap with the WIPO Study on Copyright Limitations and Exceptions for the Visually Impaired by Judith Sullivan,⁴⁰ this study will also not discuss these provisions.

Several member states have provisions that restrict the unauthorized publication of lecture notes from lectures delivered by academics: These are not, strictly speaking, limitations and exceptions to enable educational activities and are therefore excluded from the scope of this study, unless the provisions are framed in national legislation as limitations and exceptions to the academics' copyright in the lectures to enable the lecture notes to be made.

Finally, provisions that provide exceptions or limitations to the use of electronic databases or traditional knowledge will not be included in the study, since these are generally treated as *sui generis* rights and are typically not part of the scheme of copyright protection. However, to the extent that the backing up of computer software is treated as part of private or personal use, a non-exhaustive reference will be made to these provisions in the study.

³⁹ Kenneth Crews, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES (SCCR/29/3), Nov. 5, 2014, at http://www.wipo.int/edocs/mdocs/copyright/en/sccr_29/sccr_29_3.pdf.

⁴⁰ Judith Sullivan, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR THE VISUALLY IMPAIRED (SCCR/15/7), Feb. 20, 2007, at http://www.wipo.int/edocs/mdocs/copyright/en/sccr_15/sccr_15_7.pdf.

Therefore, in summary, the following classes of limitations and exceptions and their attendant activities are not addressed in this study:

- importation of works for personal consumption and their use by natural persons;
- parodies, works of satire, spoofs and similar works;
- informational, cultural and news provisions;
- lending of works and the making of copies of works by libraries for the private study of individuals;
- usage of works for the benefit of educational activities of institutions that assist persons with intellectual disabilities; and
- private or personal use of databases and uses of databases by educational institutions, and generally, the use of computer software.

The Methodology

This study is built on the five preceding 2009 studies on limitations and exceptions for educational activities. This author acknowledges the tremendous work done by these authors and is grateful for the foundation which these five studies have provided for this study. However, given the lapse of time that has passed since the 2009 studies, coupled with the fact that numerous countries have passed new or substantially revised copyright legislation in the ensuing period, this study is in effect a *de novo* review of the copyright and related rights legislation of all the member states of WIPO.⁴¹

Member States and National Legislation

The key to a successful review of copyright legislation is access to the statutes, regulations and other legislative instruments of each country. For this study, the first source of such legislation is the official resource for each country. This could be the legislative branch or the relevant intellectual property office of each country. Where the original language of the legislation is not in English, the official (or more typically, the semi-official) English translation of the legislation from the legislative branch or intellectual property office is sought and used, if available.

In its absence, the study relies on WIPOLex, the publicly accessible database of national laws and treaties on intellectual property of WIPO, WTO and UN members maintained by WIPO.⁴² The tremendous efforts of colleagues and experts at WIPOLex must never be under-emphasized. Not only is access to the current original English legislation, or in the case of legislation that is not in English, to accurate English translations of such legislation, critical to the success of this study, particularly for any comparative review and analysis, it is totally vital to promoting the transparency of intellectual property laws and optimizing the use of intellectual property in the global IP system.

⁴¹ The WIPO Convention provides that membership is open to any state that is: a member of the Paris Union for the Protection of Industrial Property, or member of the Berne Union for the Protection of Literary and Artistic Works; or a member of the United Nations, or of any of the United Nations' Specialized Agencies, or of the International Atomic Energy Agency, or that is a party to the Statute of the International Court of Justice; or invited by the WIPO General Assembly to become a member state of the Organization.

⁴² WIPO Lex, at <http://www.wipo.int/wipolex/en/> (last visited May 7, 2016).

At the time of the preparation of the draft of this study, released in May 2016, accurate and current translations of the copyright legislation of some of these member states were not available, either from the national legislative or regulatory body itself or from WIPOLex. For this reason, the draft only reviewed the copyright legislation of 136 WIPO member states. Since then, the WIPO Secretariat has secured the assistance of WIPOLex and various external consultants to translate the remaining national legislation. All in, 2,048 pieces of national copyright legislation were reviewed for this study.

As of November 2016, WIPO membership comprises 189 member states. This study has reviewed the copyright legislation and regulations of all these member states, set out below.⁴³

Afghanistan	Albania	Algeria	Andorra	Angola
Antigua and Barbuda	Argentina	Armenia	Australia	Austria
Azerbaijan	Bahamas	Bahrain	Bangladesh	Barbados
Belarus	Belgium	Belize	Benin	Bhutan
Bolivia (Plurinational State of)	Bosnia and Herzegovina	Botswana	Brazil	Brunei Darussalam
Bulgaria	Burkina Faso	Burundi	Cabo Verde	Cambodia
Cameroon	Canada	Central African Republic	Chad	Chile
China	Colombia	Comoros	Congo	Cook Islands
Costa Rica	Côte d'Ivoire	Croatia	Cuba	Cyprus
Czech Republic	Democratic People's Republic of Korea	Democratic Republic of the Congo	Denmark	Djibouti
Dominica	Dominican Republic	Ecuador	Egypt	El Salvador
Equatorial Guinea	Eritrea	Estonia	Ethiopia	Fiji
Finland	France	Gabon	Gambia	Georgia
Germany	Ghana	Greece	Grenada	Guatemala
Guinea	Guinea-Bissau	Guyana	Haiti	Holy See
Honduras	Hungary	Iceland	India	Indonesia
Iran (Islamic Republic of)	Iraq	Ireland	Israel	Italy
Jamaica	Japan	Jordan	Kazakhstan	Kenya

⁴³ United Nations, United Nations Group of Experts on Geographical Names, Working Paper No. 54: UNGEN list of country names, May 2011, available at http://unstats.un.org/unsd/geoinfo/UNGEgn/docs/26th-gegn-docs/WP/WP54_UNGEgn%20WG%20Country%20Names%20Document%202011.pdf.

Kiribati	Kuwait	Kyrgyzstan	Lao People's Democratic Republic	Latvia
Lebanon	Lesotho	Liberia	Libya	Liechtenstein
Lithuania	Luxembourg	Madagascar	Malawi	Malaysia
Maldives	Mali	Malta	Mauritania	Mauritius
Mexico	Monaco	Mongolia	Montenegro	Morocco
Mozambique	Myanmar	Namibia	Nepal	Netherlands
New Zealand	Nicaragua	Niger	Nigeria	Niue
Norway	Oman	Pakistan	Panama	Papua New Guinea
Paraguay	Peru	Philippines	Poland	Portugal
Qatar	Republic of Korea	Republic of Moldova	Romania	Russian Federation
Rwanda	Saint Kitts and Nevis	Saint Lucia	Saint Vincent and the Grenadines	Samoa
San Marino	Sao Tome and Principe	Saudi Arabia	Senegal	Serbia
Seychelles	Sierra Leone	Singapore	Slovakia	Slovenia
Somalia	South Africa	Spain	Sri Lanka	Sudan
Suriname	Swaziland	Sweden	Switzerland	Syrian Arab Republic
Tajikistan	Thailand	The former Yugoslav Republic of Macedonia	Togo	Tonga
Trinidad and Tobago	Tunisia	Turkey	Turkmenistan	Tuvalu
Uganda	Ukraine	United Arab Emirates	United Kingdom	United Republic of Tanzania
United States of America	Uruguay	Uzbekistan	Vanuatu	Venezuela (Bolivarian Republic of)
Viet Nam	Yemen	Zambia	Zimbabwe	

Table 1: List of WIPO Member States as of November 2016

Any such study will have to contend with the dynamic nature of developments in intellectual property legislation, as member states work to revise and update their laws to keep pace with developments in technology. This study attempts to state the national legislation of the member states (excluding any draft legislation or legislation that has yet to come in force) as of June 2016.

Reviewing the Legislation

In brief, the methodology of this study is divided into four distinct phases. The study starts off by locating and identifying all the national instruments pertaining to copyright for the WIPO member states, particularly those instruments, legislation and regulations that are in the WIPOLex repository. All in, the study identified 2,048 such instruments, pieces of legislation and regulations. These instruments are then checked for their relevance to copyright in general and educational activities in particular. In particular, the dates of these instruments are checked against public records of the latest available copyright instruments from the respective member states. The languages of these instruments are also checked, especially since some instruments come in multiple language versions or are misidentified as being in a language that is not English or vice versa. As noted above, if the legislation is not in English, English translations of the relevant legislation were sought.

Phase two of this study involves a first pass review of all the English language versions of legislation identified as being relevant. This review informs the study and enables the development of the eight categories of provisions used in this study. At the same time, the review of each provision involves the identification of the common issues and considerations for each of the categories. This is an iterative and dynamic process, as it involves reviewing and revising the templates devised for each of the categories. At the same time, to enable a systematic comparative review, the study attempts to preserve many of the issues and considerations common to all the categories of limitations and exceptions.

Phase three involves a detailed legislative review of each and every element in each provision in legislation that has been identified as being relevant to educational activities and categorized into one of the eight categories for this study. (For this purpose, a purely literal interpretation is adopted of all the provisions reviewed.) All the elements identified are placed into one of the respective fields that represent the issues and considerations relevant to each category of activity for that limitations and exceptions. In addition to fields such as “provision” to identify the source of the provision, the other fields are:

<u>Field</u>	<u>Description</u>
Scope [of educational activity]	the nature of the educational activity characterized as a permissible copyright activity
Type(s) of source works(s)	the copyright works that are the subject of the educational activity for the limitation or exception, including the scope of the use of such works for the educational activity
Entity exercising [educational activity]	the entity or beneficiary of the limitation or exception
Purpose of [educational activity]	the legislative purpose or objective for the educational activity
Condition of [educational activity]	the conditions to be satisfied to qualify for the limitation or exception
Frequency/copies and limits	restrictions and limits placed on the the permissible activity, such as the frequency of the activity, the number of

	copies that could be made and prohibitions on dealings with the copies made
Preclusions (not part of [educational activity])	activities or actions that fall outside of the limitation or exception, or cannot be considered to be part of the limitation or exception
Subject to Attribution	any requisite attribution as to the source, title of the work and authorship of the work to qualify for the limitation or exception
Subject to Remuneration	whether any remuneration is required to conduct the excepted educational activity (“not required” or subject, <i>inter alia</i> , to “equitable remuneration”)

Table 2: List of Fields for Analysis of Provisions

Not all the fields are used for each category. For instance, the “Frequency/copies and limits” field is not used for Quotations and School Performances, because this element does not typically feature in the provisions.

The fields used to analyze the compulsory licence and TPM and RMI provisions are set out as follows:

<u>Field</u>	<u>Description</u>
Nature of compulsory licence for [type of licence/educational activity] for educational purposes	the nature and characteristics of the translation (Article II) or reproduction (Article III) licence
Facilities provided in Paris Act, Appendix	status of the member state’
Type(s) of source work(s)	the copyright works that are the subject of the educational activity for the limitation or exception, including the scope of the use of such works for the educational activity
Licence applicant/entity	the entity or beneficiary of the licence
Purpose of licence	the legislative purpose or objective for the educational activity
Condition of licence	the conditions to be satisfied to qualify for the licence
Compulsory licence fee(s)	remuneration required for the licence
Price of publication	conditions regarding the pricing of the translated/reproduced work
Distribution conditions	conditions regarding the distribution of the translated/reproduced work
Grantor of compulsory licence	entity granting the compulsory licence

Table 3: List of fields for analysis of compulsory licence provisions

<u>Field</u>	<u>Description</u>
Scope of TPM/RMI exception	the nature and scope of the exception to the protection of TPMs and RMIs
Type(s) of source work(s)	the copyright works that are the subject of the exception
Beneficiary exercising exception	the entity or beneficiary of the exception
Purpose of exception	the legislative purpose or objective for the exception
Condition of exception	the conditions to be satisfied to qualify for the exception

Table 4: List of fields for analysis of exceptions to TPMs and RMIs

Classifying the Limitations and Exceptions

The categorization of these provisions can be challenging, because member states may enact provisions that encapsulate two or more of these categories for an educational activity in a copyright limitation or exception. For instance, Art. 25, Act No. 618/2003 on Copyright and Related Rights (as amended up to Act No. 283/2014 Coll.) of Slovakia reads:

No consent of the author is necessary for the use of a short part of a released work in another work in the form of a quotation exclusively for the purpose of the review or critique of the released work or for teaching, scientific and research purposes or artistic purposes.

In dealing with exempting the “use of a short part of a released work in another work in the form of a quotation”, the Slovakian legislature sought to characterize this as one “for the purpose of the review or critique of the released work”, which will bring it within Article 10(1) of the Berne Convention as a permissible quotation. However, the same activity is also characterized as “for teaching, scientific and research purposes or artistic purposes”, which will bring it within Article 10(2) of the Berne Convention as a use by way of illustration for teaching. The same provision is therefore analyzed under two different categories in this study.

Occasionally, this is done as a matter of purposive expediency. For instance, Art. 49 of Law on Copyright and Related Rights 2011 of Serbia reads:

Short excerpts of a work of authorship, or individual short copyright protected works, may be reproduced or be communicated to the public (right of quotation), without the author’s permission and without paying remuneration, on the following conditions...⁴⁴

Thus Article 49 is classified as pertaining to quotations (rather than as part of educational reproduction, since the “right of quotation” was expressly referred to) and to educational broadcasts, communications and recordings.

This approach is quite typical for member states with open ended “fair use” exceptions that apply across different educational activities. Examples of such multi-category provisions can be found in s 107 of the United States Copyright Act 1976, s 19 of the Copyright Act, 2007 of Israel, s 2.7 of the Copyright Law of the Republic of Liberia, s 184.1(a) of the Intellectual Property Code of the Philippines, Article 35~~ter~~ of Copyright Act (Act No. 432 of January 28,

⁴⁴ This is based on the official English language translation of the Copyright and Related Rights 2011 of Serbia, from the Intellectual Property Office of the Republic of Serbia, at http://www.zis.gov.rs/upload/documents/pdf_en/pdf_ap/copyright_law.pdf.

1957, as amended up to Act No. 12137 of December 30, 2013) of the Republic of Korea, and ss 35 and 109 of the Copyright Act (Cap. 63, 2006 Rev. Ed.) of Singapore.

Similarly, as envisioned by the broad term “utilization” in Article 10(2) of the Berne Convention, a legislative provision may use the term “use” to describe the permissible activity for a limitation or exception. In such a case, since “use” is broader than “reproduction”, such a provision will be categorized as permitting educational reproduction, performance, broadcasting, communication and recording. However, to the extent that there is already an existing provision that addresses one of the categories of educational “use”, the generic “use” provision will not be construed to address that specific category, following the Latin maxim *lex specialis derogat legi generali*. An example of this analysis is to contrast the educational use provision in s 19(2) (“use”) with the educational performance provision in s 22 (“public performance”) of the Copyright Act 1992 of Estonia, and to include s 19(2) only as encompassing the educational broadcast, communication and recording activity (“as illustration for teaching and scientific research”). Likewise, s 26(1)(a) (“doing of *any of those acts*⁴⁵ by way of fair dealing for the purposes of scientific research”) of the Copyright Act 2001 of Kenya applies to all categories of educational activities, but *not* educational publications and educational broadcasts, communications and recordings, which are addressed separately in s 26(1)(d) and (e) (respectively “inclusion in a collection” and “broadcasting”).

Throughout this exercise, effort has been made to duplicate the literal language of the provision in extracting its relevant elements. This avoids any ensuing substantive interpretation issues (subject, of course, only to the accuracy of the English translation of the legislation), and enables the language of the provision to be literally read from each field of each analysis.

Phase four consolidates and standardizes these tables. The standardization is required to ensure consistency in the categorization of provisions and in the characterization of the elements of each provision. To minimize subjectivity in the categorization and characterization, this study has been undertaken by the author alone. To further ensure consistency in this process, three passes (occasionally augmented by automated processes) have been done to review this exercise for consistency.

“Free Use” and Remuneration

When commenting on an earlier iteration of this study, one member state’s representative has observed that a limitation or exception should be described as *not requiring* remuneration, even if the provision did not explicitly state that remuneration is not required, if the activity that fell within the scope of the limitation or exception was described as *permitted*.

This information was actually captured in the earlier iteration of this study, but it was decided not to publish the information. This is because extracting such information from member state’s copyright legislation has turned out to be surprisingly difficult. For instance, a provision may exist which provides for the private and personal use of a copyright work “for free” or “without payment of author’s remuneration”. But a subsequent provision, in the same legislation, *or even in another piece of legislation, subsidiary legislation or regulation*, may provide for the remuneration of authors for the ostensibly “free use” of a copyright work, such as the use of recording media or photocopying services, or afford equitable remuneration to performers and

⁴⁵ “Any of those acts” refers to “the exclusive ... right to control ... any of the following acts, namely the reproduction in any material form of the original work or its translation or adaptation, the distribution to the public of the work by way of sale, rental, lease, hire, loan, importation or similar arrangement, and the communication to the public and the broadcasting of the whole work or a substantial part thereof”, as set out in s 26(1) itself.

phonogram producers whose rights have been affected by the “free use” or use which “the author may not prohibit” of the aforesaid work. Some examples include:

- Art. 17(1) of the Law of the Republic of Azerbaijan on Copyright and Related Rights, which refers to “free use” and “without payment of author’s remuneration”, has to be read with Art. 17(3), (4), which refers to remuneration for, authors, performers and phonogram producers collectively, through levies on reproduction equipment and material media.
- Art. 14 of Law No. 2005-30 of April 5, 2006, relating to Copyright and Related Rights of the Republic of Benin, which sanctions personal and private use of reproductions of copyright and derivative works which “the author may not prohibit”, has to be read with Arts. 74, 75 and 79, which pertain to the remuneration of authors, performers and phonogram producers.
- s 19 of the Copyright Act 1992 of Estonia, describes the permitted reproduction as being “without payment of remuneration” but s 27¹ subjects all forms of “reprographic reproductions” in s 19 to remuneration payable by the Government. In other words, non-reprographic reproductions are outside the scope of remuneration and only such reproductions are truly “without payment of remuneration”.
- Art. 52(1).2 of Law on Copyright and Related Rights (31 August 2010), The former Yugoslav Republic of Macedonia, provides that “The use of a copyright work without remuneration shall apply to the following cases ... [r]eproduction made by ... educational establishments ... for the purpose of carrying out their activity and without direct or indirect economic or commercial advantage”) but Art. 54.1 provides that “use of a copyright work *with fair compensation* shall apply to ... [r]eproduction on paper or any similar medium, by way of photocopying or any other analogous technique or other process having similar effects”.

For the final iteration of this study, it is decided to share the results of this analysis, however incomplete it may be. Where no express reference to remuneration, licensing or attribution in that provision or any other provision has been identified, the remuneration requirement will be classified as “not required” for this limitation or exception, particularly if the activity is described as being “lawful” or “permitted without the rightholder’s (or author’s) authorization”. Since this classification assumes an exhaustive examination of not just the limitation or exception provision in question, but also any other relevant provision in any other legislation, reviewers, experts and delegates from the WIPO member states are strongly encouraged to validate the remuneration analysis for the limitation or exception provisions for their respective national legislation.

In any event, this is consistent with the philosophy that only an open and transparent review of the results of this study can enhance and improve our understanding of our laws of copyright and the application of the limitations and exceptions to educational activities.

The Analysis

All in, the provisions are placed into 1,723 different tables made from the analysis of the provisions, comprising 1,553 tables for limitations and exceptions for educational activities (first to sixth categories), 77 tables for the compulsory translation and education licences for educational activities under the Annex to the Berne Convention (seventh category), and 93

tables for the provisions that provide flexibilities or exemptions for the application of TPM and RMI in relation to existing limitations and exceptions for educational activities (eighth category).

1. Summary

	Provisions	Provisions per member state					Member States in Study (189)	
		Total	Max	Min	Avg	SD	Median	States
Limitations and Exceptions	1,553	32	1	8.22	4.42	8	189	100.0%
Private/Personal Use	332	7	0	1.76	1.13	2	177	93.7%
Quotations	251	4	0	1.33	0.63	1	183	96.8%
Reproduction	379	12	0	2.01	1.79	2	154	81.5%
Publications	149	8	0	0.79	0.80	1	127	67.2%
Performances	189	8	0	1.00	1.09	1	123	65.1%
Broadcasts/Communications/Recordings	257	10	0	1.36	1.41	1	135	71.4%
Compulsory Licences	77	4	1	2.08	0.76	2	37	19.6%
TPM/RMI Restrictions	93	7	1	1.89	1.43	1	49	25.9%

Figure 1: Summary Statistics of All Provisions for All Categories for Each Member State⁴⁶

An analysis of the count of the number of provisions for each member state, as classified into one of the eight categories of educational activities, is set out in Figure 1 above. The analysis attempts to determine the minimum, maximum, average, standard deviation and total number of provisions for all member states for each category, as well as the number of member states who have provisions for that category of educational activity. The statistics are very instructive.

Looking first at the limitations and exceptions (first to sixth categories), Figure 1 shows that a total of 189 member states have enacted a total of 1,553 provisions to address any one of the first six categories of educational activities. This means that each member state has at least *one* provision in its legislation that is a limitation or exception as regards the use of copyright works and subject-matter for educational activities. In fact, the average number of limitations and exceptions pertaining to educational activities in each member state is 8.22 (which corresponds

⁴⁶ Note that the summary statistics for compulsory licences are based on those developing member states that have implemented the licences, not based on the total number of developing member states that are WIPO members or the total number of WIPO member states. Likewise, the summary statistics for TPM/RMI exceptions are based on those member states that have implemented the restrictions, not on the total number of WIPO member states.

to 8 as the median number of provisions). The following histogram demonstrates the qualitative importance and quantitative significance of such limitations and exceptions in the national legislation of member states.

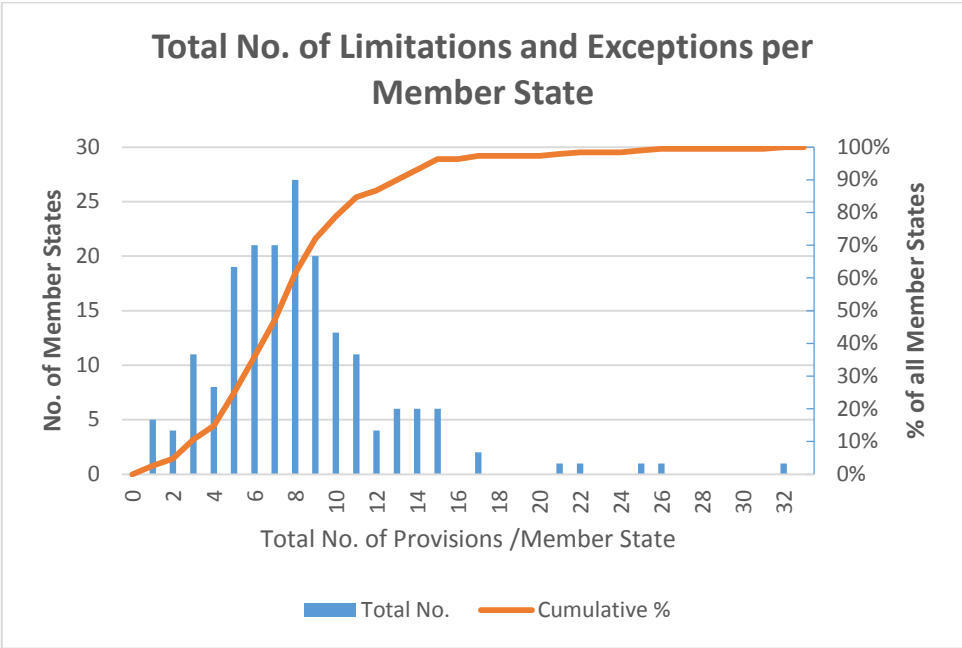


Figure 2: Distribution of limitations and exceptions provisions among member states (by first six categories).

The histogram and cumulative frequency table demonstrate clearly the distribution of the limitations and exceptions among member states. Only 5 member states have one provision relating to educational activities in their national legislation, and only 4 member states have two such provisions. These are however the exception, and not the norm, because these numbers rise rapidly. 11 member states have three such provisions, 8 member states have four, and 19 member states have five. Based on the cumulative frequency distribution, 50% or 94.5 member states will have up to 7.20 provisions in their national legislation. 75% or 141.8 member states will have up to 9.44 provisions in their national legislation, and 90% or 170.1 member states will have up to 13.02 provisions in their legislation. (See Figure 2.)

The distribution of these provisions among member states can be further observed by a review of the total number of limitations and exceptions among the top 25 member states (by the total number of such provisions).

Position	Member State	Member of Commonwealth of Nations	Total No. of Limitations and Exceptions
1 st	Australia	Yes	32
2 nd	Canada	Yes	26
3 rd	New Zealand	Yes	25
4 th	Singapore	Yes	22
5 th	Austria		21
6 th (joint)	Ireland	former member	17
	Malaysia	Yes	17

8 th (joint)	Belgium		15
	Fiji	Yes	15
	Saint Lucia	Yes	15
	Saint Vincent and the Grenadines	Yes	15
	United Kingdom	Yes	15
	United States of America		15
14 th (joint)	Brunei Darussalam	Yes	14
	Gambia		14
	Germany		14
	Hungary		14
	Norway		14
	Sweden		14
20 th (joint)	Honduras		13
	Jamaica	Yes	13
	Niue	former Protectorate	13
	Philippines		13
	Republic of Korea		13
	Saint Kitts and Nevis	Yes	13

Table 5: Top 25 Member States by Total Number of Limitations and Exceptions

Listing the member states by the count of the total number of limitations and exceptions (for the first to sixth categories) in their national legislation, the top member state (Australia) had 32 such limitations and exceptions for educational activities, with Canada, New Zealand and Singapore following closely behind. (See Table 5.) In fact, the top 25 member states by total number of limitations and exceptions all have more than 13 provisions in their legislation. This explains why, on average, each member state has around 8.2 such limitations and exceptions in its copyright legislation. (See Figure 1.)

The number of such limitations and exceptions could be a reflection of the legal heritage and the legal system of the member state. Of the top 25 member states, 12 of them (Australia, Brunei Darussalam, Canada, Fiji, Jamaica, Malaysia, New Zealand, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Singapore, and the United Kingdom) are members of the Commonwealth of Nations, and two others (Ireland, Niue) are formerly members or British protectorates. (See Table 5.) These member states have numerous limitations and exceptions in their national legislation to deal with very specific situations where works and subject matter may be used for particular education-related activities.

Together with the United States, there are a total of 15 member states with common law systems in the top 25 member states list. The high total count for the United States of America deserves further explanation. While the United States only has, in substance, two statutory provisions that address the issue of limitations and exceptions for educational activities, the fair use provision is very broad and it can encompass potentially every educational activity in the 6 categories in question (in the first group). In fact, the generality of the fair use statutory exception has engendered numerous U.S. Congress-approved agreements and guidelines that attempt to particularize the instances of “fair use” of literary and musical works and recording of broadcast programs for educational purposes, which further add to the numbers of provisions in

this group of limitations and exceptions. In contrast, the other provision (s 110 from the TEACH Act) has very detailed elements and is of much narrower application, which is more characteristic of the provisions enacted by the other common law member states.

2. Private/Personal Use

a. *Private/Personal Use and Educational Instruction*

At the Stockholm Conference, there was considerable discussion among the conference delegates, who eventually treated the private and personal use of works as falling within the reworded phraseology of “certain special cases” in Article 9(2) of the Berne Convention.⁴⁷ In contrast, the Conference proposed no substantial changes to Article 10(2), in so far as it deals with the use of works for teaching and instruction.⁴⁸

But any distinction between the private and personal use of works and the use of works in educational instruction is blurred when the private and personal use of works elides into self-education and self-instruction, particularly where the user is a student taking a full-time course of instruction in an educational institution. Member states recognize the close association between private and personal use and educational instruction, and have adopted a pragmatic approach to this activity in their national legislation. For instance:

- s 58(1), Copyright Act, 1998 (CH.323) (as amended by the Copyright (Amendment) Act, Act No. 2 of 2004) of the Bahamas states that “fair dealing with a copyright work, including such use by reproduction in copies or phonorecords for purposes such as *research, private study, scholarship or teaching* does not infringe copyright in the work”, emphasizing the proximity of research, private study, scholarship and teaching as aspects of fair dealing.
- s 18, Copyright Act 2013 of the Cook Islands permits the translation of a work by “[a] person giving or receiving instruction ... for *private* educational, teaching, or research purposes”, associating the role of the instructor and the student with teaching or research, and also emphasizing the role of “private education” which the translated materials serve.

Nor is this limited to common law jurisdictions. Prominent illustrations from civil law jurisdictions include:

- Art. 38.3, Law No. 1328/1998 on Copyright and Related Rights of Paraguay (“in the case of *single, personal copies* that are used solely for *teaching purposes* by teaching staff at educational establishments”), highlighting the personal use of materials by teaching staff,
- Art. 35(3) item 2, Act on Copyright and Related Rights (Copyright Act, as amended up to Law of October 1, 2013) of Germany (“permissible to make copies for *personal use* of small parts of a work ... for state examinations and examinations in schools, higher education institutions, non-commercial training and further training institutions, as well as vocational training institutions in the required quantity”), highlighting the personal use of materials for educational purposes

⁴⁷ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 857-858, 1144-1146.

⁴⁸ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 857-858, 1146-1148.

- Art. 20 of the Royal Decree No. 65/2008 promulgating the Law on Copyright and Related Rights, Oman (“Reproduction ... by reprographic means of protected works *by ... educational establishments* and scientific and cultural institutions, provided that such reproduction shall be ... to meet the *need of a natural person* for use in a study or research”), emphasizing that the reproduction of works by educational establishments is to meet “the need of a natural person for use in a study or research”.
- Art. 83(k) of the Intellectual Property Law (Consolidation No. 2006-13) of Ecuador (“[annotation and collection of] *lessons and lectures* given at universities, polytechnic schools and higher technical and technological institutes, colleges, schools, and teaching and training centers in general ... by those to whom they are addressed *for their personal use*”).

b. Difference between Private and Personal Use

Ensuing from the earlier iteration of this study, another suggestion that was made was that there should be a sharp difference drawn in the analysis between the personal use of content for educational purposes, and the private use of content for similar purposes. The difference that this seeks to emphasize is that personal use refers to the consumptive use of copyrighted work by a natural person for his or her own purposes, but private use refers to such uses within the family circle.

The legislation of some member states appear to make that distinction. For instance, the Federal Act on Copyright and Related Rights of Switzerland defines “private use” as:

any personal use of a work or use within a circle of persons closely connected to each other, such as relatives or friends⁴⁹

So private use is extended personal use, where the use is extended to family members, relatives and friends.

This suggestion has been carefully considered. In close consultation with the WIPO Secretariat, it was however decided that this distinction will not be made for this study for three reasons. First, the delegates at the Stockholm Conference debated the meaning of the expression “private use”. Some delegates had sought to replace it with the expression “individual or family use” or even “personal use”, and yet others were concerned that was still capable of too broad an interpretation.⁵⁰ Ultimately, the delegates assiduously avoided the reference in the Berne Convention and simply referred to these as “certain special cases”.⁵¹

Second, a careful review of member states’ national legislation shows that these two terms could be used interchangeably. For instance:

- ss 69 and 72 of the Law No. 2000/011 of December 19, 2000 on Copyright and Neighbouring Rights of Cameroon describe the entitlement of authors and rightholders for remuneration in respect of reproductions for “strictly personal *and* private use” (“usage strictement personnel et privé”), but the ensuing provisions in ss 70 and 73 describe the same remuneration only for the “private use” (“usage privé”) of works or recordings. The same distinction between the exception for “strictly personal *and* private use” and the remuneration for “private copying” is made in Arts. 113 and 114 of the Law

⁴⁹ Art. 19.1(a), Federal Act of October 9, 1992 on Copyright and Related Rights (status as of January 1, 2011).

⁵⁰ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 857-858, 1144.

⁵¹ RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967 at 1145.

No. 005/PR/2003 of May 2nd, 2003 on the Protection of Copyright, Neighboring rights and Expressions of Folklore of Chad.

- s 27, Copyright Act, 2004 of Gambia, refers to the “*private* reproduction of a published work ... where the reproduction is made by an individual exclusively for his or her own *personal* purposes”.
- Art. 26 of the Law on Copyright and The Related Rights dated 10 June 1996 No. 6 of Kazakhstan, is described as “Reproduction of a work for *personal* purposes” but the provision itself reads “Reproduction of audio-visual work or audio-recording of work for *private* purposes”. Conversely, Art. 18 of the same law is described as “Reproduction of a work for *private* purposes” but the provision itself reads “Reproduction of one copy of a lawfully disclosed works by an individual for *personal* purposes”.
- Art. 20.1 (“for his individual use”), 20.4 (“for personal use”) and 20.5 (“for private use”) of Law on Copyright and Related Rights No. VIII-1185 of May 18, 1999 (as amended on October 7, 2014 – by Law No. XII-1183) of Lithuania appear to use three terms interchangeably.
- s 10(a)(i) (“user’s own personal or private use”) and s 39(a) (“private use”) of Copyright Act, 1989 of Malawi appear to distinguish their application in relation to copyright works in the former provision and derivative works in the latter.
- Art. 24(b), Law No. 08-024 of July 23, 2008 laying down the Regime of Literary and Artistic Property in the Republic of Mali, refers to permissible reproductions, translations and adaptations intended for “strictly personal and private use of the person making them”, but if “private use” connotes collective usage on the part of a person’s family or friends, it will be unclear who will be the “person making” the reproductions etc.
- s 15(1)(a), The Copyright and Neighbouring Rights Act, 2006 of Uganda (“fair use of a protected work ... for private personal use only”) conflates “private use” and “personal use”, as originally defined.

Third, given the variety of ways in which the expressions “private use” and “personal use” have been adopted by member states, any analysis that turns on the perceived difference between personal use and private use would turn on the language of the provisions. If the original language of the provisions is not English, this in turn places too much emphasis on the accuracy of the translation of the provisions. Again, this will make the analysis turn on substantive interpretations, with the benefit of suitably-qualified legal input from the respective member states, which this study is not equipped to undertake. Thus it falls outside the ambit of this study.

c. Analysis

There are 332 provisions from 177 member states that deal with private or personal use. (See Figure 1.) On average, each member state has 1.76 provisions that deal with private or personal use. The standard deviation of 1.13 and the median of 2 together confirm that while 50% of member states have 1.08 private or personal use provisions, this number rises rapidly because a substantial number of member states have 2 private or personal use provisions in their legislation. Thus, by the cumulative distributions, 75% of member states have up to 1.80 provisions and 95% of the member states have up to 3.12 provisions that sanction the private or personal use of works. (See Figure 3.) Conversely, only 12 members (6.35%) of the member states have no provisions that sanction the private or personal use of works. At 177 member

states (93.7%), the category of provisions for private and personal use of copyright and derivative works represents the second largest category of limitations and exceptions for educational works. It also highlights the significance of including this analysis from the perspective of the individual use of works for educational, research and instructional purposes.

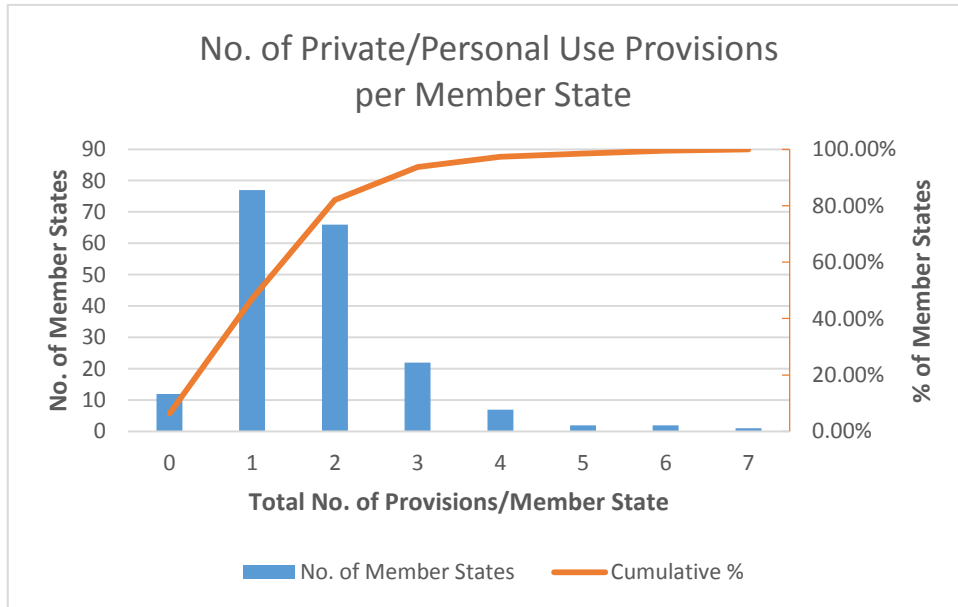


Figure 3: Distribution of private/personal use provisions among member states

These limitations and exceptions are variously characterised. 42 of such provisions use the “fair use” or “fair dealing” formulation, 49 of such provisions describe the purpose of the limitation or exception as being for “study”, and 56 of such provisions describe the purpose as for “research”.

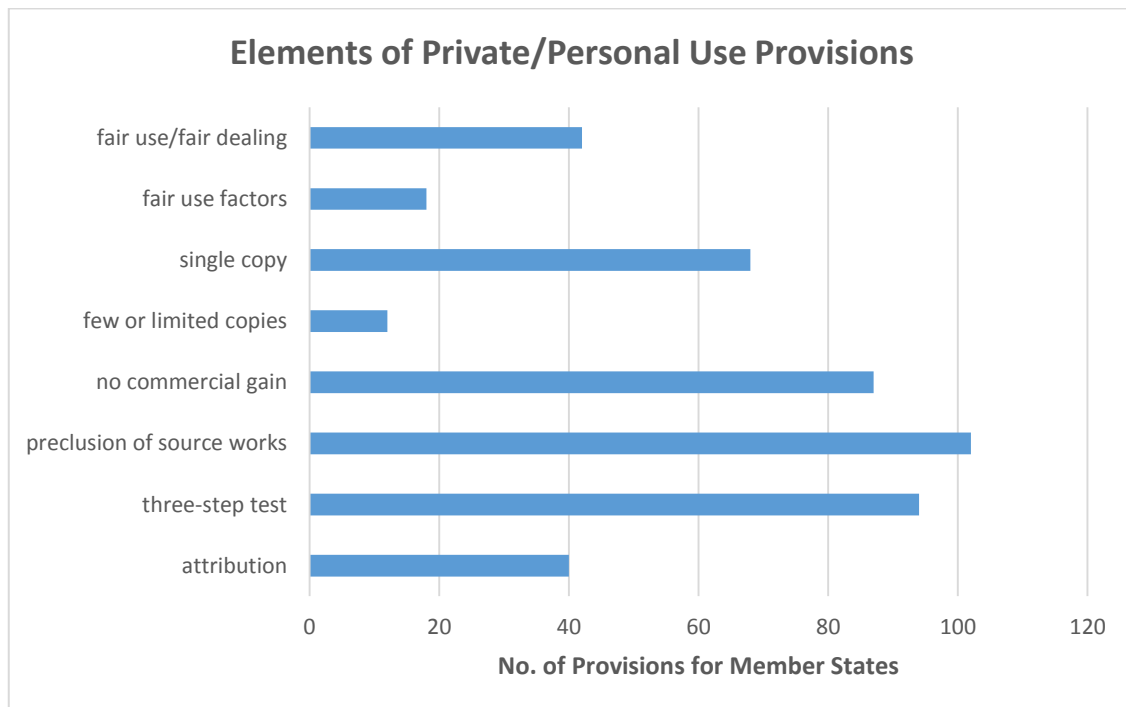


Figure 4: Distribution of elements of private/personal use provisions

Many member states subject this private or personal use to conditions such as the making of a single copy (68 provisions) or a few or limited copies (12 provisions), the requirement that there be no commercial gain profit-making purpose, income or revenue from the copying (87 provisions). As to the latter, various formulations are used such as “non-commercial purpose”, “no profit/income/revenue/economic benefit/interest”, “free of charge”, “without payment” or “gratuitous”. Other member states use the “fair use factors” to guide the determination of whether the private or personal use is “fair” (18 provisions).

Another delimiter is to preclude certain works from being the source works for the private and personal use. 102 provisions exclude architectural works, musical works, artistic works, computer programs and databases from the scope of the limitations and exceptions. 94 provisions delimit the private or personal use provision with elements from the three-step test set out in Article 9(2) of the Berne Convention: that the use must be confined to certain special cases, that it must not conflict with a normal exploitation of the work, and that it must not unreasonably prejudice the legitimate interests of the author.

d. Attribution and Remuneration

There are only relatively few provisions (40 provisions) that require this private or personal use to be attributed. (See Figure 4.)

Most of the private or personal use provisions do not require any form of remuneration (236 provisions). However, a small but significant number (90 provisions) require some form of remuneration or fair compensation to the author or related rights holder, either in the form of a levy on the recording media or reproduction equipment, for the private or personal use.

3. Quotations

a. Analysis

There are 251 provisions from 183 member states that deal with quotations. On average, each member state has 1.33 provisions that deal with quotations. The relatively small standard deviation of 0.63 suggests a very narrow distribution of provisions among member states. Based on the cumulative frequencies, it is estimated that 95% of the member states will have between 0 and 1.95 provisions that sanction the private or personal use of works. (The median number of quotation provisions is 1.) (See Figure 1.) Similarly, with 183 member states (96.8% of all member states) represented, this means that almost every member state has at least one provision to address the use of quotations for educational purposes.

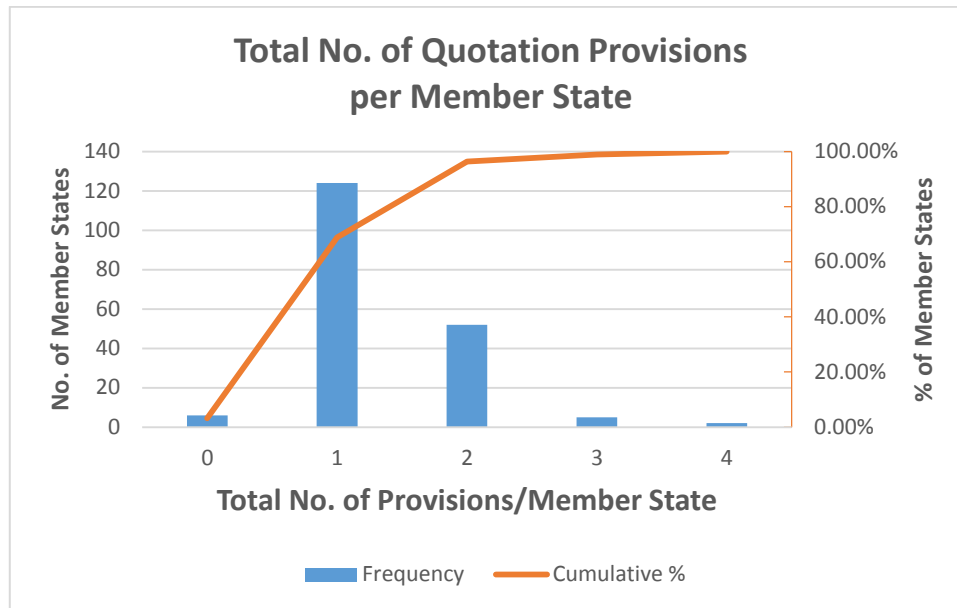


Figure 5: Distribution of quotation provisions among member states

Like the private and personal use provisions, 46 of these limitations and exceptions use the “fair use” or “fair dealing” formulation to describe the use of quotations. Most of the provisions are simply referred to as permitting “quotes” or “quotations” (139 provisions) as the scope of the provision, although other equivalent formulations include “citations”, “excerpts”, “extracts”, “citations” and “illustrations”.

The purpose of using quotations has been variously described as for “criticism” (122 provisions), “review” (60 provisions), “science” or “scientific” (37 provisions), “polemic” (30 provisions), “research” (26 provisions), “information” (26 provisions), “education” (18 provisions), “teaching” (16 provisions), “comment” (13 provisions) or “illustration” (10 provisions).

The scope and extent of use of works as quotations is frequently not spelt out explicitly in the provisions: this is because the concept of a quotation, citation, excerpt and so on connotes a limit reproduction or use of the source work. Some member states use “fair/proper/good/customary/reasonable practice” (85 provisions) or the “fair use factors” (18 provisions) to assess whether the quotation is “fair”, while others use the more open-ended yardstick of a quotation “justified by its purpose” (105 provisions).

Unlike private or personal use however, there are few preclusions to the works that can be quoted: those that are typically excluded are performances and phonograms (10 provisions) and architectural works and computer programs (9 provisions). Most of the preclusions operate by way of the three-step test (46 provisions).

At least 195 of these provisions require attribution to the quotations, as required by Article 10(3) of the Berne Convention. (This figure is a marked increase from that for private and personal use.) The actual figure is probably higher because many member states recognize the author’s moral rights as to attribution and thus require the identification of the author when the quotation is used.

b. Remuneration

Remuneration is required in only very few provisions (7 provisions). And where it is required, the provisions are limited to those instances where the quotations constitute the main or significant

part of the new work. Examples of these provisions can be found in Art. 10 of the Argentinian Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as last amended by Law No. 26.570 of November 25, 2009) and Art. 31 of the Colombia Law No. 23 of 1982 (January 28) - On Copyright.

4. Research/Educational Reproduction

a. *Analysis*

The provisions for research and educational reproduction represent the largest group of provisions by educational categories. At 379 provisions, there are more research and educational reproduction provisions than there are private and personal use provisions (332 provisions) and quotation provisions (251 provisions), as befits the mandate of this study. However, it is noteworthy that there are *fewer* member states with research and educational reproduction provisions (154 member states) than there are private and personal use (177 member states) and quotation (183 member states) provisions. This reflects both the relevance of the private and personal use provisions as supplementing the use of works for educational activities, and the relevance of the other provisions pertaining to educational publications, performances and broadcasts in the education instruction sphere.

On average, each member state has 2.01 provisions dealing with research or educational reproductions. The median of 2 provisions for each member state similarly reflects the accuracy of this observation. On the other hand, the range of provisions across member states is very wide, ranging from 0 provisions (35 member states have no educational reproduction provisions) to 12 provisions (New Zealand). Australia is not far behind at 10 provisions. The relatively large standard deviation of 1.79 suggests that there is quite a lot of variability among member states in their implementation of educational reproduction provisions. Based on the cumulative frequencies, 50% of member states have between 0 and 1.2 educational reproduction provisions, 75% have between 0 and 2.40 provisions, and 95% of the member states have between 0 and 4.59 provisions. The high variability of the distribution of these provisions is best illustrated by the chart below.

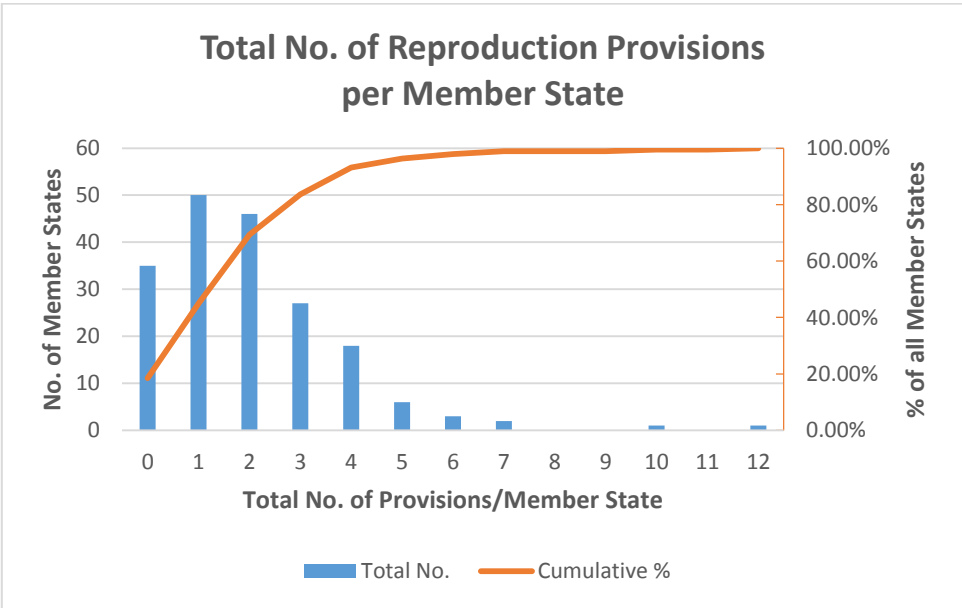


Figure 6: Distribution of research and educational reproduction provisions among member states

The many different ways in which research and educational reproduction is permitted by member states can be seen from an examination of the provisions themselves. Only 21 are “fair use” or “fair dealing” provisions for “research or study” or extended versions of “research or private study”.⁵² Member states have tended to use other formulations to scope the research and educational reproduction provision: the narrower “reproduction/copying/duplication” (257 provisions) or “annotate/notes” (7 provisions) formulations, or the broader “use” (65 provisions) or “anything” (17 provisions) formulations. Reprographic reproduction, as part of reproduction/copying/duplication, accounted for 32 provisions.

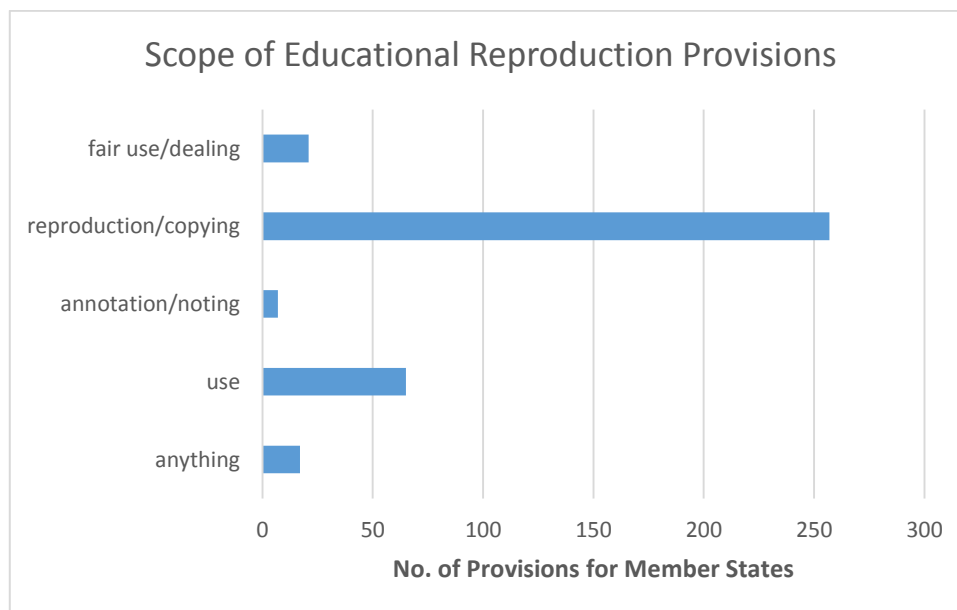


Figure 7: Distribution of scope of educational reproduction provisions

A majority of the provisions do not circumscribe the type of entity who may use the limitation or exception (212 provisions). For those that do, the permitted entities are instructors (41 provisions), students (36 provisions) or the schools and educational institutions themselves (97 provisions).

The purposes for which the works are used are formulated widely to capture the diverse forms in which education can be conducted: “teaching” (125 provisions), which is the expression used in Article 10(2), is the most popular, but “education” (105 provisions), “instruction” (60 provisions), “class/lecture/lesson” (23 provisions), “examination/question” (58 provisions), “research” (100 provisions), and “science” (70 provisions) are also addressed. Interestingly, the specific use of works for courses in “films/film making” (9 provisions) is also addressed.

⁵² See, e.g., Australia, Copyright Act 1968 (consolidated as of June 27, 2015), ss 40, 103C, 248A (fair dealing for “research or study”), Bahamas, Copyright Act, 1998 (CH.323) (as amended by the Copyright (Amendment) Act, Act No. 2 of 2004), s 58 (applying to “research, private study, scholarship or teaching or instruction at an “educational establishment”), Israel, Copyright Act, 2007 (as amended on July 28, 2011), s 19 (applying to “private study, research, instruction and examination by an educational institution”), Liberia, Copyright Law of the Republic of Liberia, s 2.7 (extending “fair use” to teaching (including multiple copies for classroom use), scholarship and research), Singapore, Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015) ss 35, 109 (fair dealing for “research or study”), and Uganda, The Copyright and Neighbouring Rights Act, 2006, s 15(1)(j) (applying “fair use” to a scientific institution or an educational institution).

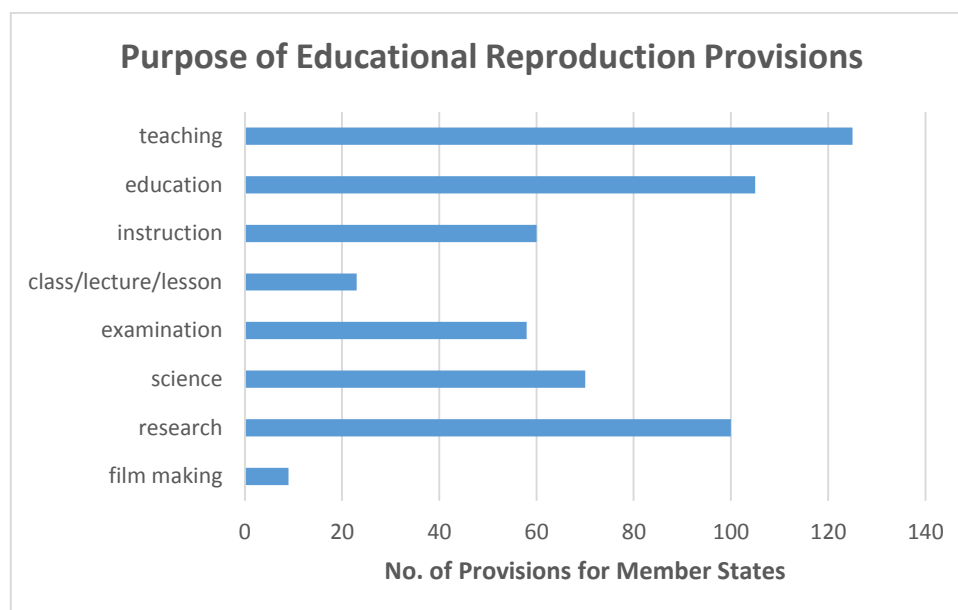


Figure 8: Distribution of purpose of educational reproduction provisions

A significant number of provisions do not prescribe any additional conditions for their use, in addition to the existing scope and purpose restrictions (161 provisions). However, where they do, the primary restriction is that the educational reproduction not be conducted for commercial gain or advantage (106 provisions). Other restrictions include the unavailability of a commercial licence or knowledge of its existence for the educational reproduction (39 provisions), the requirement that such reproduction be fair (35 provisions, of which 13 provisions rely on the fair use factors), the prohibition against the publication or distribution of the reproduction (19 provisions) or against the use of reprography or the making of reprographic copies (unless the provision specifically allows it) (6 provisions).

A significant number of provisions (106 provisions) however do prescribe limits or restrictions on the extent of the copying and the frequency of the making of copies. 73 provisions apply an open-ended limit such as “to the extent justified by the purpose”. Similar limits or restrictions include:

- Art. 40, Law Supporting the Rights of Authors, Composers, Artists and Researchers (Copyright Law) of Afghanistan: reproduction to be an isolated one; if repeated, each occurrence should be on separate and unrelated occasions
- Art. 6(3), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006, China: a small quantity of works to a small number of teachers/students and researchers

Other limits are more quantitative in nature. For instance:

- s 44(3), New Zealand Copyright Act 1994 (No. 143) (reprint as at 1 January 2014): no more than the greater of 3% of the work or edition or 3 pages of the work or edition or 50% of the whole work or edition, whichever is less
- s 60, Copyright Act 2003 (Act No. 21 of 2003) of Saint Vincent and the Grenadines: not more than 1% of any work in any quarter of the year

- Art. 50(3), Copyright and Related Rights Act of 30 March 1995 as last amended on December 15, 2006 of Slovenia: no more than 3 copies
- s 36(1), Copyright, Designs and Patents Act 1988 of the United Kingdom: not more than 5% of any work/recording in 12 months

In addition, 59 provisions provide that the ensuing copies made pursuant to the provision may not be disposed of or dealt with commercially, ensuring that the first sale doctrine does not apply to these copies.

Unlike the private and personal use provisions, the operative preclusion here is the three-step test (70 provisions). Similar provisions to like effect can be found in s 29(c), The Copyright & Related Rights Act of the Maldives and s 26(c), Copyright Act (Act No. 12 of 2002) of Tonga, which prohibit the reproduction of source works which have been “published as teaching or instructional materials”. A similar restriction against the copying of “educational consumables” is also found in the Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals and the Guidelines for Educational Uses of Music of the United States.

b. Attribution and Remuneration

All good scholarship usage should be supported by references and citations. Article 10(3) of the Berne Convention reinforces this practice, although any attribution should not detract from or defeat the educational context in which the source works are used. In this regard, 133 provisions mandate that the educational reproduction be attributed, but 54 provisions prescribe some kind of waiver of the attribution requirement.

A substantial majority of the provisions (319 provisions) do not prescribe any kind of remuneration for the use of works for research or educational purposes. Of the 44 provisions that do, 32 of these provisions are premised on the making of copies or the use of reprographic equipment or the reproduction by third parties, 2 afford remuneration through levies on storage media or reprographic equipment⁵³ and 1 requires remuneration only on the continued retention of the copy made.⁵⁴ Other provisions seem to require remuneration because the source works could be both reproduced and made available to the public. These would describe provisions from Austria,⁵⁵ China,⁵⁶ France,⁵⁷ and Netherlands.⁵⁸

Of the 44 provisions that require remuneration, 5 of these provisions explicitly envisage the making of reproductions in the digital environment. These provisions are from Canada,⁵⁹ China,⁶⁰ France,⁶¹ Liechtenstein,⁶² and Singapore.⁶³ The School Reproduction Agreement for

⁵³ Art. 19.1.b, Federal Act of October 9, 1992 on Copyright and Related Rights (status as of January 1, 2011), Switzerland and Second Schedule, para. (h), Copyright Act (Chapter C.28, as codified 2004), Nigeria.

⁵⁴ s 29.7, Copyright Act (R.S.C., 1985, c. C-42), Canada.

⁵⁵ s 42g, Federal Law on Copyrights on Literary and Artistic Works and Related Rights (Copyright Act) (as last amended by Federal Law Gazette (BGBl) I No. 99/2015).

⁵⁶ Art. 8, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁵⁷ Art. L211-3.3, Intellectual Property Code (amended by Act No. 2016-925 of July 7, 2016).

⁵⁸ Arts. 16.1, 16.2, Act of September 23, 1912, containing New Regulation for Copyright (Copyright Act 1912, as last revised by the Collective Act security and Justice of October 27, 2011).

⁵⁹ ss 29.7, 30.02(a), Copyright Act (R.S.C., 1985, c. C-42), Canada.

⁶⁰ Art. 8, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁶¹ Art. L122-5.3(e), Intellectual Property Code (amended by Act No. 2016-925 of July 7, 2016), France.

⁶² Art. 22(1)(d), Law on Copyright and Neighboring Rights (Copyright Law) (version as of 1 June 2016)

Regulation on Copyright and Neighbouring Rights (Copyright Regulation), Liechtenstein.

⁶³ Part III, Division 6, s 52, Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015), Singapore.

Public Schools 2014 and the Agreement for Higher Education 2014 in Sweden also envisage the making of digital copies for remuneration for educational purposes. The remuneration typically takes the form of an equitable remuneration, a negotiated remuneration or a collective licence, payable directly by the educational institution, or in the form of a levy on reprographic equipment or media, payable through their manufacturers and importers.

5. Educational Publications/Anthologies/Compilations/Composite Works

The category of provisions for educational publications, anthologies, compilations and other composite works constitute the smallest of the six categories of educational limitations and exceptions, with only 149 provisions identified in the legislation of 127 (67.2%) member states. This is because this category of provisions represent an extension of the previous category: research or educational provisions. The purposes to be served by this category of provisions is overtly commercial, and yet it is in the public interest to support this industry to ensure that there is adequate availability of instructional materials for educational purposes. This overlap between educational reproduction and educational publication may be best illustrated with the following provisions. For instance, Art. 28(2), Act No. 618/2003 on Copyright and Related Rights (as amended up to Act No. 283/2014 Coll.) of Slovakia reads:

No consent of the author is required to make a copy of a short part of a released work, a short released work or a work of fine art by transferring the work onto paper or another similar foundation *by means of reprographic equipment*, or for its *public distribution by other forms of assignment of title such as its sale*, if such use does not exceed the scope justified by teaching purposes at school and its purpose is not to acquire direct or indirect property benefit. (emphasis added)

And Art. 41 of Law on the Promotion and Protection of Intellectual Property Rights of El Salvador, reads:

It shall be lawful to reproduce short fragments of literary, scientific or artistic works *in publications or chrestomathies or for the purposes of teaching, science or literary criticism or research*, provided that the source from which they are taken is unmistakably specified, provided also that the texts reproduced are not altered and that the reproduction does not adversely affect the normal exploitation of the work or prejudice the legitimate interests of the author. Short fragments may be published in translated form for the same purposes and subject to the same restrictions. (emphasis added)

a. *Analysis*

The relative paucity of provisions that deal with educational publications can be seen from the low average of 0.79 provisions per member state, and the median of 1. However, the standard deviation of 0.80 belies the fact that 95% of the member states have between 0 and 1.42 educational publication provisions, as illustrated in the following histogram:

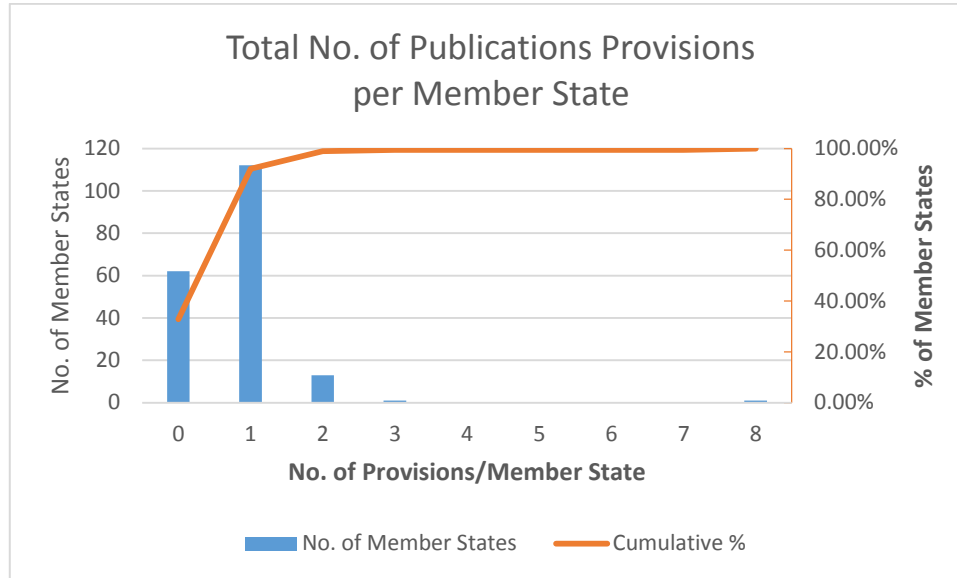


Figure 9: Distribution of educational publication provisions among member states

It will be clear from this histogram that save for one member state, there are no member states with more than 3 provisions that deal with educational publications. The outlier here is Austria, which has a total of 8 distinct provisions to deal with the distribution and making available of educational compilations, depending on whether they pertain to works in general, musical works or artistic works, with special conditions ascribed for each type of publication.

There is generally relatively little variation in the nature of the educational publication provisions. Most of the provisions mirror the language of Article 10(2) of the Berne Convention closely, in that they permit the utilization of works in publication (59 provisions), sound or visual recordings or films (11 provisions). The provisions operate by “using” (51 entries), “reproducing”, “copying” or “borrowing” parts of source works (79 entries), transcribing them or using them for illustration (41 entries), and through selections, quotations and passages (9 entries). Many of the provisions also emphasize that the entirety of the source work cannot be used: only “part” of (22 provisions) or “minor/short/small/limited/isolated/few” (70 provisions) works can be used.

The purpose of these publications is predominantly education, teaching and instruction (128 provisions), science or research (20 provisions).

There are also predominantly no restrictions against the entity who may be able to publish the publications and anthologies (139 provisions), though the following are notable exceptions:

- s 72(1)(9), Copyright Act, 2000 (Act No. 28 of 2000, as amended up to 2005) of Bangladesh: “the *publication* ... of a literary, dramatic or musical work by the *staff and students of the institution* ... if the audience is limited to such staff and students, the parents and guardians of the students and persons directly connected with the activities of the institution” (emphasis added)
- Art. 32.2, Consolidated text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the Applicable Statutory Provisions (approved by Royal Legislative Decree No. 1/1996 of April 12, 1996, and last amended by Royal Decree-Law No. 20/2011 of December 30, 2011) of Spain: “*teachers in official education programs* to

carry out reproduction, *distribution*⁶⁴ and public communication of small excerpts of works ... excluding school and university textbooks, when such acts are done merely to illustrative educational activities in the classroom” (emphasis added)

- s 32(7), Copyright Act, B.E. 2537 of Thailand: “reproduction, adaptation in part of a work or abridgment or making a summary by *a teacher or an educational institution* so as to *distribute or sell to students in a class or in an educational institution* provided that the act is not for profit” (emphasis added)

The conditions prescribed for sanctioning educational publications are quite varied: that the collection be comprised primarily of non-copyright material (21 provisions), that the publication be for non-commercial purposes (19 provisions), that fair/customary use/practice be observed (29 provisions), and that the collection be described and advertised as being for use in education (14 provisions). Other restrictions include limiting or justifying the extent of the use of the source work (50 provisions), limiting it to a small or reasonable part (3 provisions) or to what is necessary or essential (6 provisions), limiting the source works to no more than 2 in quantity, typically within a 5 year period (26 provisions), or requiring a lapse of 5 years from first publication of the source work (5 provisions). Other examples include:

- Art. 10, Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as last amended by Law No. 26.570 of November 25, 2009), Argentina: including up to 1,000 words for literary or scientific works, or eight bars in musical works
- s 18(3), Consolidated Act on Copyright 2014 (Consolidate Act No. 1144 of October 23, 2014, on Copyright) of Denmark: not more than 300 copies of each song booklet may be produced

As with the other categories of provisions, published collections that use precluded source works such as buildings and software (7 provisions), and that use source works that are themselves prepared for use in education (3 provisions) are disallowed, as are collections delimited by the three-step test (32 provisions).

b. Attribution and Remuneration

In almost all of these provisions, there must be proper attribution for such use of the source works (125 provisions), unless to do so will be impracticable or infeasible (30 provisions).

In 110 provisions, remuneration for these educational publications is not required. For the remaining 38 provisions in 27 member states, either a statutory licence or some form of remuneration or payment to the copyright owner is required.

6. School Performances

a. Analysis

There are 189 performance-related provisions for educational activities identified in the legislation of 123 member states. The average and median figures both indicate that most

⁶⁴ Art. 19(1), Consolidated text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the Applicable Statutory Provisions (approved by Royal Legislative Decree No. 1/1996 of April 12, 1996, and last amended by Royal Decree-Law No. 20/2011 of December 30, 2011) of Spain (defining distribution as “the making available to the public of the original or copies of the work, in a tangible support, by means of sale, rental or lending or in any other manner whatsoever”).

member states will have only 1 such provision in their legislation. The member state with the largest number of school performance provisions is Canada, with 8 provisions.

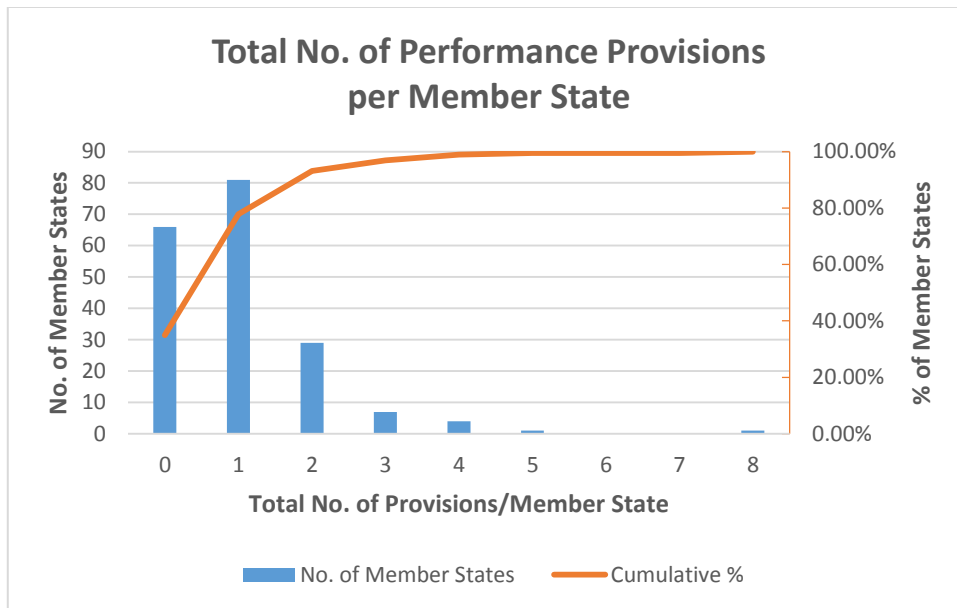


Figure 10: Distribution of school performance provisions among member states

A majority of the provisions are directed at performance (120 provisions), although some member states have defined “communication” or “making available to the public” to include performance (11 provisions). Other manifestations of these provisions include showing or playing sound recordings, films, broadcasts and cable programmes (18 and 36 entries respectively), or screening or causing such works to be heard or seen (10 provisions). Recitals (2 provisions) and exhibitions/presentations (4 provisions) are also described. In addition, some member states adopt the broad “use” formulation set out in Article 10(2) of the Berne Convention to justify the conduct of school performances (31 provisions), or apply the generic “fair use” or “fair dealing” formulation for school performances (4 provisions).

There are generally speaking two classes of school performance provisions: provisions that specifically address the schools and educational institutions (63 provisions) and their teachers, students and instructors who conduct school performances (36 provisions), and non-profit clubs and societies (such as quasi-formal interest group associations formed by students in schools to advance their extra-curricular activities) (16 provisions). For the first class of provisions, school performances are conducted for purposes of education (83 provisions), teaching (45 provisions), instruction (23 provisions), training (10 provisions) and examination (5 provisions). They may also be conducted for research or scientific purposes (30 provisions). For the second class of provisions, the performances are conducted in support of, or for the benefit of the club or society.

There are typically six different conditions which apply to sanction school performances: the composition of the audience is limited to teachers, students, instructors and, occasionally, family members of students (59 provisions), the performance is conducted on the premises of the educational institution (16 provisions), the performance is given free of charge or the proceeds be applied solely for the organization of the performance (73 provisions), no remuneration is given to the performers (19 provisions), the extent of the work used in the performance is limited or restricted (8 provisions), or the use is subject to the test of fair use or fair dealing (4 provisions). The operation of 23 provisions was further subject to the three-step test, and 21

provisions are subject to further preclusions as to the types of source works which can be used (such as phonograms, cinematographic works, computer programs and performances).

b. Attribution and Remuneration

45 provisions require attribution as to the source and/or authorship (with 10 provisions qualifying the attribution requirements).

For 118 provisions, no remuneration is required. For 7 provisions (from Canada, Finland, Germany, Iceland, Netherlands, Sweden and the Republic of Korea), compensation to the authors and other rightsholders is payable by way of royalties, extended collective licence or equitable remuneration (excepting the instances where a levy is payable for the use of storage media and recording equipment and devices). It should however be noted that Art. 25(2), Copyright Act (Act No. 432 of January 28, 1957, as amended up to Act No. 12137 of December 30, 2013) of the Republic of Korea, qualifies the remuneration payable. The remuneration provision reads:

Provided, That those who engage in the reproduction, distribution, public performance, broadcasting, or interactive transmission of relevant works at high schools, their equivalents, or lower level schools pursuant to paragraph (2) [which entitles schools and other educational institutions to reproduce, distribute, perform in public, display or transmit parts of works already made public as being necessary in implementing classes or in rendering support thereof] shall not be obliged to pay remuneration.

7. Educational Broadcasts/Communications/Recordings

a. Distance Learning, Online Instruction and Communication to the Public

The final category of limitations and exceptions for “educational broadcasts, communications and recordings” is based on Article 10(2) of the Berne Convention, in that it provides that member states may permit the utilization of works by way of illustration for teaching purposes, in “broadcasts or sound or visual recordings”. Even though Article 9(3) provides that sound or visual recordings shall be considered as a reproduction,⁶⁵ because of the treatment of recordings together with broadcasts in Article 10(2), recordings for educational purposes will be considered in this category rather than the third category of research and educational reproductions. (In fact, some member states such as Australia⁶⁶ and Singapore⁶⁷ have defined recordings to encompass the fixation in material form of broadcasts or other communications, comprising material which may or may not have been previously fixed in material form.)

During the inception of this study, a suggestion was made to attempt in this study to identify the provisions to permit online distance learning. And during the review of the draft study, a similar suggestion was made. Perhaps this was a reference to the study done by the APEC-IPEG, which examined the “transmissions of a work for purposes of distance learning”.⁶⁸ This study however will not take up this suggestion.

⁶⁵ See *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 927.

⁶⁶ S 248A(1), Copyright Act 1968 (consolidated as of June 27, 2015) of Australia; cf. s 200(1), Copyright Act 1968 (consolidated as of June 27, 2015) of Australia (defining “recording” and “exempted recording”).

⁶⁷ S 246(1), Copyright Act (Cap. 63, 2006 Rev Ed) (consolidated as of 31 March 2015), Singapore (defining “recording” and “exempted recording”).

⁶⁸ APEC, Asia-Pacific Economic Cooperation Intellectual Property Experts’ Group Survey on Copyright Limitations and Exceptions: Report on Copyright L&E in APEC Economies, July 2009, http://publications.apec.org/publication-detail.php?pub_id=971.

In the initial planning stage of this study, this issue was given careful consideration, in close consultation with the WIPO Secretariat. It was then decided *not* to conduct this particular categorization or analysis for this study. The reasons are fivefold, and were subsequently reaffirmed from the completed analysis in this study. The first is that where the analysis seeks to identify legislation of member states that have enabled online distance learning, very few member states have specifically provided for *sui generis* provisions that *explicitly* address the distribution of online content for instructional purposes. Examples of these are:

- Art. 6(3), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006, China: “Where anyone provides any work through the *information network* under any of the following circumstances, he may be exempted from obtaining the owner’s permission as well as paying the relevant remunerations thereto ... Where, in order to support the teaching research or scientific research, a small quantity of publicized works are provided to some people who engage in teaching or scientific research.” (emphasis added)
- s 11(1), Copyright Act (Cap 67, Act No. 21 of 2011) of Grenada: “utilisation by way of illustration for teaching, or scientific research purposes ... utilisation can also include the making available of such works in *computer networks*” (emphasis added)
- Art. 38(5), of Act No. LXXVI of 1999 on Copyright (consolidated text as of January 1, 2007) of Hungary: “works ... for the purpose of research or private study, freely displayed to individual members of the public on the screens of *dedicated terminals* on the premises of such establishments, and ... communicated, including their making available, to such members of the public” (emphasis added)
- Art. 70.1bis, Law No. 633 of April 22, 1941, for the Protection of Copyright and Neighboring Rights (as amended up to Decree-law No. 64 of April 30, 2010) of Italy: “It is allowed the free publication through *the Internet*, free of charge, of images and music at low resolution or degraded, for teaching or scientific purposes and only if such use is not for profit” (emphasis added)
- Art. 22, Law on Copyright and Related Rights No. VIII-1185 of May 18, 1999 (as amended on October 7, 2014 – by Law No. XII-1183) of Lithuania: “The following shall be permitted without the authorisation of the author of a work or any other owner of copyright in this work and without the payment of a remuneration, but indicating, where possible, the source, including the author’s name: 3) use of works held by libraries, by libraries of educational and research institutions, museums or archives, *communicating them to the public*, for the non-commercial purpose of research or private study, *via computer networks at the terminals designated for that purpose in those establishments...*” (emphasis added)
- s 110(2), US Copyright Act 1976 (Technology, Education and Copyright Harmonization Act of 2002): “performance ... of a nondramatic literary or musical work ... or display ... by or in the *course of a transmission*” (emphasis added)
- Other member states with such *sui generis* provisions include Australia,⁶⁹ Canada,⁷⁰ France,⁷¹ Japan,⁷² Liberia,⁷³ Mauritius,⁷⁴ Portugal,⁷⁵ Republic of Korea,⁷⁶ Seychelles,⁷⁷ Singapore,⁷⁸ and Spain.⁷⁹

⁶⁹ Part VB, Division 2A, ss 135ZMB, 135ZMC, 135ZMD, 135ZMDA, Copyright Act 1968 (consolidated as of June 27, 2015), Australia.

Second, many member states have existing “communication to the public” or “making available” rights, which may or may not encompass the online dissemination of digital content (as distinct from the use of the term “transmission” in the legislation of the member states previously identified). If the “making available” provisions are legislated with reference to the provisions in the WCT and WPPT, it is quite likely that they are intended to apply to online interactive transmissions. Member states that use this formulation include Germany,⁸⁰ Norway,⁸¹ Portugal,⁸² The former Yugoslav Republic of Macedonia,⁸³ and Tunisia.⁸⁴

Alternatively, member states may have provisions that sanction distance learning in the form of public service broadcasts or cable programme services on special education and instructional channels, but not necessarily online distance learning. Whether this is so turns on a substantive interpretation of these provisions and a review of relevant case law, jurisprudential development, executive regulations and academic writings that deal with these provisions, which range beyond the scope of this study. Instead, this study simply flags these provisions as enabling a “communication to the public” or a “broadcast”. For instance, it is likely that the following provisions will be interpreted expansively to encompass Internet digital transmissions:

- Art. 18(2), Law No. 7 of 2002 on the Protection of Copyright and Related Rights, Qatar: “using the work by way of illustration for teaching, through publications, broadcasts, sound or visual recordings, films *or by any other means*” (emphasis added)
- Art. 40.9, Law on Copyright (of August 14, 1993), Venezuela (Bolivarian Republic of): permitting the communication of a copyright or derivative work by educational establishments for strictly scientific and teaching purposes, and defining “communication to the public” as including “dissemination, by *any known or future process*, of signs, words, sounds or images” (in addition to performances, public screenings, broadcasting, transmission of works by wire, cable, optic fiber or other comparable process, retransmission, reception, and public presentation and display).⁸⁵ (emphasis added)

Third, many member states have “making available” exceptions for limitations for educational purposes, but only where such content is part of the collection of libraries or archive services. The narrower implementation of these provisions potentially disentitles educational institutions

⁷⁰ S 30.02(b), Copyright Act (R.S.C., 1985, c. C-42), Canada.

⁷¹ Art. L122-5.3(e), Intellectual Property Code (amended by Act No. 2016-925 of July 7, 2016), France.

⁷² Arts. 34, 35(2), 36, Copyright Act (Act No. 48 of May 6, 1970, as last amended by Act No. 65 of December 3, 2010), Japan.

⁷³ Ss 2.10(2), 2.19, Copyright Law of the Republic of Liberia, Liberia.

⁷⁴ s 19(1)(a), Copyright Act 2014, Mauritius.

⁷⁵ Art. 75.2(o), Code of Copyright and Related Rights (as last amended by Law No. 16/2008 of April 1, 2008), Portugal.

⁷⁶ Arts. 25(2), (3), 35ter, Copyright Act (Act No. 432 of January 28, 1957, as amended up to Act No. 12137 of December 30, 2013), Republic of Korea.

⁷⁷ s 12(1)(b), Copyright Act, 2014 (Act No. 5 of 2014), Seychelles.

⁷⁸ Part III, Division 6, s 52, Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015), Singapore.

⁷⁹ Art. 32.2, Consolidated text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the Applicable Statutory Provisions (approved by Royal Legislative Decree No. 1/1996 of April 12, 1996, and last amended by Royal Decree-Law No. 20/2011 of December 30, 2011), Spain.

⁸⁰ Art. 46, Act on Copyright and Related Rights (Copyright Act, as amended up to Law of October 1, 2013), Germany.

⁸¹ s 16(2), Copyright Act (Act No. 2 of May 12, 1961, relating to Copyright in Literary, Scientific and Artistic Works) (consolidated version of 2015), Norway.

⁸² Art. 75.2(f), (o), Code of Copyright and Related Rights (as last amended by Law No. 16/2008 of April 1, 2008), Portugal.

⁸³ Art. 52(1).17, Law on Copyright and Related Rights (31 Aug 2010), The former Yugoslav Republic of Macedonia.

⁸⁴ Art. 10(a), Law No. 94-36 of February 24, 1994, on Literary and Artistic Property, Tunisia.

⁸⁵ Art. 40.1-8, Law on Copyright (of August 14, 1993), Venezuela (Bolivarian Republic of).

from providing such content interactively for their students, unless this is done administratively through the library department of the educational institution (if this is permissible under the library limitations and exceptions). An example would be:

- Art. 28(p) of Law No. 139 of July 2, 2010, on Copyright and Neighbouring Rights of the Republic of Moldova: “use by communication or interactive making available to the public, for the purpose of research or private study, to individual members of the public by dedicated terminals on the premises of establishments referred to [in] [*sic*] Article 27(1) [which relates to *libraries and archive services but not educational establishments*] of works and other subject-matter not subject to purchase or licensing terms which are contained in their collections.” (emphasis added)

Fourth, online distance learning has to be distinguished from distance learning in the form of public service broadcasts or cable programme services on special education and instructional channels, because online distance learning will inevitably engage some form of reproduction of the source works that are being communicated. Even if no copies of works are necessarily supplied to the student or distance learner as the recipient, the nature of the electronic medium will invariably involve, in some form or adaptation, digital reproductions of these source works, in whole or in part, for a persistent or a transient period of time. Some member states have managed this by exempting both reproduction and communication in their limitations and exceptions:

- s 30.02(b), Copyright Act (R.S.C., 1985, c. C-42), Canada: “it is not an infringement of copyright for an educational institution that has a reprographic reproduction licence ... (a) to make a digital reproduction ... (b) to *communicate the digital reproduction* by telecommunication for an educational or training purpose to persons acting under the authority of the institution; or (c) to do any other act that is necessary for the purpose of the acts referred to in paragraphs (a) and (b).” (emphasis added)
- s 14 (14.10.2005/821), Copyright Act (Act No. 404 of July 8, 1961, as amended up to 608/2015) of Finland: “(1) A work made public may, by virtue of extended collective licence, as provided in section 26, be *reproduced* for use in educational activities or in scientific research and be used *in this purpose for communication to the public by means other than transmitting on radio or television*. The provisions of this subsection shall not apply to reproduction by photocopying or by corresponding means.” (emphasis added)

Finally, many instructors who use electronic transmissions for educational instruction will use hyperlinks to provide their students or distance learners access to the relevant sources. The current case law pertaining to the provision of hyperlinks to electronic sources is not uniformly settled in all member states: whether the provision of hyperlinks amounts to a communication of the underlying electronic resource is still being resolved by apex courts in various jurisdictions.⁸⁶ This study does not attempt to engage that issue, and it is understood that various organizations such as AIPPI and ALAI are currently conducting detailed studies on that issue.

⁸⁶ See e.g., Case C-160/15 GS Media BV v Sanoma Media Netherlands BV (Court of Justice of the EU, Sep. 8, 2016). Cf. Case C-466/12 Svensson and Others (Court of Justice of the EU, October 21, 2014), Perfect 10, Inc. v. Amazon.com, Inc., 508 F.3d 1146 (9th Cir. 2007), Pearson Education, Inc. v. Ishayev, 963 F.Supp.2d 239 (S.D.N.Y. 2013).

b. Analysis

After the provisions for research and educational reproductions and private and personal use, the provisions for educational broadcasts, communications and recordings represent the third largest category of educational provisions. There are 257 such provisions in member states' legislation. But, like the provisions relating to research and educational reproduction, there are fewer member states with broadcast/communication/recording provisions than there are educational reproduction provisions, suggesting that member states still see the reproduction provisions as the primary means for supplying source works for educational activities. Nonetheless, there are more provisions and more member states (135 member states) with provisions for educational broadcast/communication/recording provisions than there are for educational publications (149 provisions, 127 member states) and performances (189 provisions, 123 member states), also suggesting the significance and importance of broadcasts, communications and recording for educational purposes.

This observation is also reflected in the higher average of 1.36 provisions per member state for this category of educational provisions, when compared with the averages for publications (0.79 provisions) and performances (1.00 provisions). Although the medians for broadcasts/communications/recordings, publications and performances are the same (at 1 provision each), the cumulative frequencies show a very different picture. Examining the cumulative frequencies, it will be seen that 50% of member states have between 0 and 0.64 educational reproduction provisions, 75% have between 0 and 1.51 provisions, and 95% of the member states have between 0 and 3.50 provisions. The fact that at 50%, each member state has less than 1 educational communication provision is indicative of the lack of adoption of such provisions in the legislation of member states, a situation which can be helpfully contrasted with the distribution histogram for the reproduction provisions, and with the distribution histogram for all the limitations and exceptions provisions. The higher variability of the distribution of these communications provisions is best illustrated by the chart below.

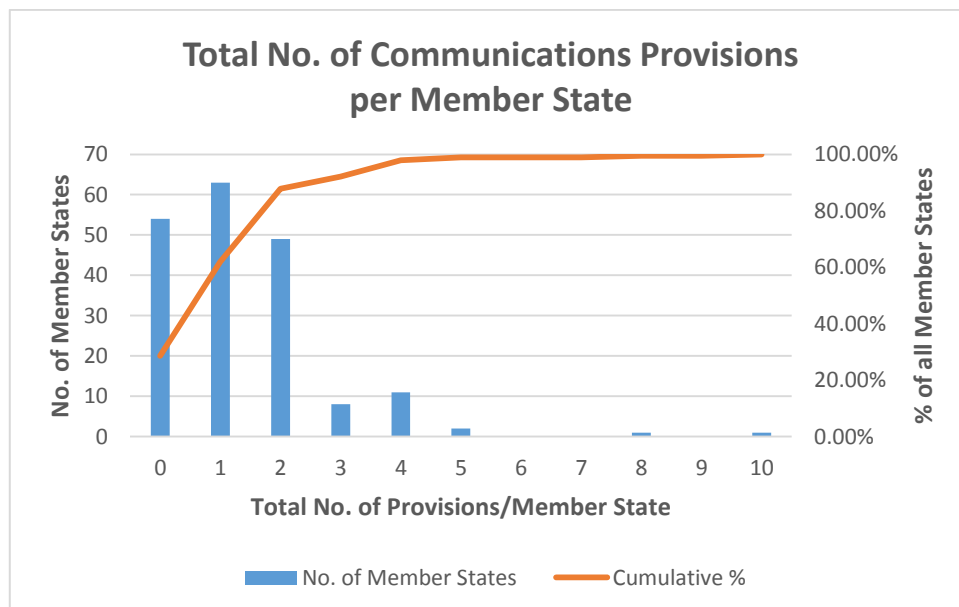


Figure 11: Distribution of educational broadcasting, communications and recording provisions among member states

Reference was made earlier to the 25 provisions which contain *sui generis* provisions that permit the communication (and their attendant reproduction) of source works for educational

activities. Provisions also qualify their scope by referring to the “recording” (108 provisions), “communication” (76 provision), “broadcast” (70 provisions), “fixation” or “filming” (16 provisions), “making available” (15 provisions) or “performance” (7 provisions) of the source works. (As previously noted, the “performance” provisions here refer to the communication of the works.) Member states have also formulated the provisions more generally as pertaining to “use” (81 provisions), “fair use” (10 provisions) and “anything” (4 provisions) in relation to the source works.

Provisions may additionally circumscribe the entity who may rely on the limitation or exception by confining it to a school, university or educational establishment (74 provisions), or to a teacher, staff member or student (18 provisions). The purposes for which the educational communications, broadcasts and recordings are made are variously identified as for education, teaching, illustration, instruction and classroom purposes (213 provisions), for science or research (78 provisions), for examinations and questions (18 provisions), for film studies (8 provisions) and in the public interest (3 provisions). It is noteworthy that only 34 provisions specifically cited “illustration” as a purpose to justify the provision.

The conditions that have to be observed for educational broadcasts, communications and recordings include: doing so without profit or for non-commercial reasons (57 provisions), observing custom or fair practice for its use and extent (36 provisions), subjecting the availability of the use of the provision to any relevant licensing terms (16 provisions), limiting the use to a course, program or study (14 provisions), limiting the use to its intended purpose (17 provisions). Further restrictions include prohibiting commercial dealings in the copies made (30 provisions), destroying the copies after they have been used (5 provisions), confining the online access to restricted or secure networks (7 provisions), implementing technical measures to limit or prevent infringement (9 provisions), limiting the access to a physical place (14 provisions), or to a limited audience such as staff and students (10 provisions), limiting the copies or amount made or accessed (8 provisions) or to the extent or amount that is justified (52 provisions).

Further preclusions from the application of the provision include the use of works such as computer programs and performances (15 provisions) and the three-step test (45 provisions).

c. Attribution and Remuneration

107 provisions require some form of proper attribution to be made for such use of the source works, unless to do so will be impracticable or infeasible (30 provisions).

In 225 provisions, remuneration for these educational publications is not required. For the remaining 29 provisions in 23 member states, either a statutory licence or some form of remuneration or payment to the copyright owner is required.

8. Compulsory Licences for Educational Reproductions and Translations

In contrast to the much larger number of limitations and exceptions provisions, the study only found 77 provisions from 37 member states (or 19.6% of all member states) provide for compulsory licences for educational purposes. Of these, 44 are licences for translations, corresponding to Article II of the Appendix, and 33 are for reproductions, corresponding to Article III of the Appendix. Most of these provisions prescribe application and licensing conditions that are provided in Articles II and III of the Appendix, including the requirements that the source publication be out of print or be unavailable in the prescribed language for a prescribed period of time since its first publication, at a price similar to those of similar works in the member state, and that good faith attempts be made to contact the right owner be made

before the compulsory licence will be granted, subject to the licensee's obligation to make equitable remuneration.

It is interesting to note that of the 37 member states with these provisions, only six (Algeria, Bangladesh, Cuba, Kuwait, Thailand, United Arab Emirates) have renewed their Article I declaration under the Appendix. China, Egypt, Guinea, India, Lesotho, Malaysia, and Mexico have all allowed their Article I declarations to lapse (some since 1984).

9. TPM/RMI Exceptions for Educational Purposes

49 member states (25.9%) have enacted 93 provisions that provide for exceptions to TPM and RMI protection. Among these member states, the average number of provisions per member state is 1.89, and the median is 1. Interestingly, not all member states with these provisions are signatories to the WCT and WPPT. The following member states are not signatories, but they have these exceptions in their national legislation: Cook Islands, Grenada, Holy See, Iceland, India, Mauritius, New Zealand, Norway, Seychelles, Thailand.

75 provisions permit the circumvention, removal or disablement of TPM, or access to the protected work notwithstanding the TPM. 5 provisions permit the removal or alteration of RMI. The purposes identified in these provisions include: teaching (6 provisions), private or personal use (4 provisions), educational purchase or acquisition decisions (9 provisions), encryption research (14 provisions), security testing (15 provisions), interoperability (7 provisions), legitimate access (13 provisions) and realization of limitations and exceptions (10 provisions).

The manner in which the provision provides that TPM/RMI may be circumvented, removed, or disabled, or access granted, varies. 34 provisions oblige or require the rightholder to lift the TPMs, alter their works or make available appropriate means to enable the purposes to be achieved. Many of these provisions further require the aggrieved beneficiary to engage the rightholder to negotiate a solution to the impasse. 41 provisions entitle the beneficiary to simply circumvent, remove, disable or destroy the TPMs or RMI without penalty or damages. The rest of the provisions simply entitle the beneficiary to reproduce or conduct activities on the work and be absolved of infringement.

The most typical conditions imposed on the exercise of these provisions are that the source work in question be a lawfully acquired copy of the work (11 provisions), and that the beneficiary act in good faith or without an intent to infringe copyright (23 provisions).

10. Concluding Observations

The study shows quite a variegated collection of limitations and exceptions provisions for educational activities. The significance of the private or personal use provisions as they relate to personal instruction is demonstrated not only by the large numbers of these provisions and their varied implementations, but also their nexus to educational instruction. In general, it appears that with respect to the economic impact stemming from such uses, including use for educational purposes, efforts have been made to attempt to ameliorate that impact with a combination of the robust preclusion of certain categories of works from private or personal uses and the imposition of levies on recording media and reprographic equipment.

Quotations, educational publications and school performances are provisions that are generally quite uniformly implemented in (some) member states, both by way of their general acceptance in the national legislation of member states, and also in their implementational details. No remuneration is generally prescribed for quotations and school performances. As for educational publications, subject to the generally prescribed limits of the extent to which source

works may be used for educational collections, no remuneration is required of the publishers as well, although there is a not insubstantial number of member states that have enacted provisions to require remuneration on behalf of the authors whose works have been used.

There are wide and varied implementations of limitations and exceptions for educational reproductions, and educational broadcasts, communications, and recordings. The purposes behind these provisions are generally clear (generally for teaching, education, instruction, science and research). For educational reproductions, the primary restriction is that the reproductions not be conducted for commercial gain or advantage, or the unavailability of a commercial licence or lack of awareness of its availability for educational reproduction. To the extent that the scope of the reproduction right is contingent on the availability and scope of commercial licences, this is a matter that has to be investigated further as it is beyond the scope of this study. The reproduction provisions also prescribe qualitative and quantitative limits and restrictions placed on educational reproductions.

The broadcast, communications and recordings provisions exhibit a larger spectrum of implementational variations. Provisions in member states' legislation may refer to not just "communication" or "broadcast", but also "recording", "fixation", "filming", "making available" or even "performance", "use" or "anything". Interestingly, notwithstanding the language of Article 10(2) of the Berne Convention, relatively few member states have used the "by way of illustration" language or its variations to formulate their educational broadcasts, communications and recordings provisions. The conditions, qualitative and quantitative limits and restrictions that are placed are also quite varied. With a view to enabling online distance learning and yet managing the potential for online infringement, some member states additionally have linked the availability of source works online with the implementation of technological measures.

For the most part, educational reproduction, broadcast, communications and recordings provisions do not attract the payment of equitable remuneration to authors and rightholders. However, educational reproduction provisions that do prescribe equitable remuneration are primarily directed at the making of multiple copies, the use of reprographic equipment and the reproduction of source works by third parties. No such clear patterns have been observed in relation to the provisions requiring equitable remuneration for educational broadcasts, communications and recordings.

Furthermore, on the issue of online distance learning, very few member states have specifically provided for sui generis provisions that explicitly address the distribution of online content for instructional purposes. However, this does not mean that other member states do not have provisions that do not address the issue. But whether or not member states' "communication to the public" or "making available" rights encompass the online dissemination of digital content is largely a matter for the substantive legal treatment in the respective member states. In addition, online distance learning will invariably engage in some form of reproduction of the source works that are being communicated, by virtue of the fact that the electronic medium is involved, provisions that enable online distance learning will also have to take this issue into consideration.

This study has also found that there are only 77 provisions in 37 member states that provide for compulsory licences for educational purposes. While most of these provisions generally comport with the detailed prescriptions in Articles II and III of the Berne Convention Appendix, for the current period, only six member states have renewed their Article I declaration under the Appendix. In this regard, a further investigation into whether the other member states have actively utilized these provisions in their legislation will be most instructive.

Finally, a sizeable number of member states have enacted provisions in national legislation to provide for restrictions to the protection of TPM and RMI. Some of the purposes of these provisions include teaching, private or personal use, making educational purchase or acquisition decisions, encryption research, security testing, and interoperability. Other provisions restrict TPM and RMI to protect and preserve the legitimate access to the works and to enable the full realization and use of the limitations and exceptions in national legislation, including the educational provisions discussed above. These qualifications to the general TPM and RMI protection provisions are an interesting trend in the international jurisprudence in this area.

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This study has taken one year to complete, from its inception in November 2015. It would be remiss of me to release this study without thanking all the people who have made it possible for me to reach the end of this massive project.

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<u>Name(s)</u>	<u>Member State(s)</u>
Mr. Candra Darusman	Indonesia
Mr. Paolo Lanteri	Italy
Mr. Rafael Ferraz Vazquez	Equatorial Guinea, Portugal, Sao Tome and Principe
Ms. Valérie Jouvin Ms. Miyuki Monroig	Belgium, France, Central African Republic, Comoros, Luxembourg, Mali, Mauritania, Monaco

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From member states:

<u>Name</u>	<u>Title and organization</u>	<u>Member State</u>
Ms. Marcela Paiva Véliz	Counselor Permanent Mission of Chile, Geneva	Chile
Ms. Adéla Faladová	Deputy Director Copyright Department Ministry of Culture	Czech Republic
Ms. Anna Vuopala	Government Counsellor Department of Culture and Art Policy Copyright Policy and Economy of Culture Ministry of Education and Culture	Finland
Ms. Kauranen Soile	Counselor Permanent Mission of Finland, Geneva	Finland
Ms. Flor de Maria Garcia Diaz	Counsellor Permanent Mission of Guatemala, Geneva	Guatemala
Ms. Na'ama Daniel	Legislation and Legal Counsel Intellectual Property Law Department Ministry of Justice	Israel
Mr. Maheshwor Neupane	Director General Department of Industry, Nepal	Nepal
Mr. Henry Olsson	Special Government Adviser The Ministry of Sweden	Sweden
Ms. Vipatboon Klaosootorn	Legal Officer Department of Intellectual Property, Ministry of Commerce	Thailand
Mr. Faizul Azman	Copyright Senior Policy Advisor Intellectual Property Office	United Kingdom
Mr. Juan J. Barboza	Counsellor Permanent Mission of Uruguay, Geneva	Uruguay

From NGOs:

<u>Name</u>	<u>Title and organization</u>	<u>Member State</u>
Mr. Olav Stokkmo	The International Federation of Reproduction Rights Organisations	Brussels
Professor Shinichi Uehara	Copyright Research and Information Center (CRIC)	Japan
Mr. Tim Padfield	Copyright for Archivists and Records Managers	United Kingdom

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<u>External Consultant</u>	<u>Member State(s)</u>
Professor Jørgen Blomqvist	Norway
Dr. Mihály Ficsor	Armenia, Belarus, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan, Ukraine
Dr. Silke Von Lewinski	Austria, Lichtenstein
Mr. Yecid Andres Rios Pinzon	Costa Rica, Cuba, Honduras, Nicaragua, Panama

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The study of this scale and magnitude is of course not without its flaws, for which I remain fully responsible. I welcome all corrections, comments and suggestions from everyone, especially those from WIPO member states whose copyright limitations and exceptions I have reviewed in this study.

Daniel Seng
Singapore
November 2016

Afghanistan

1. Legislation Reviewed

Law Supporting the Rights of Authors, Composers, Artists and Researchers (Copyright Law)

2. Private/Personal Use

Provision	Art. 39
Scope of private/personal use	reproduction
Type(s) of source work(s)	published work
Entity exercising private/personal use	natural person
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	architecture, reprography or photography of all or important part of book [or] [sic] musical work, all or part of digital database. computer program
Subject to Attribution	
Subject to Remuneration	not required (“without author’s authorization”)

3. Quotations

4. Research/Educational Reproduction

Provision	Art. 40
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	short works or extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights of which educational institution is or should be aware
Frequency/copies and limits	isolated one; if repeated, each occurrence should be on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author (indicated on all copies)
Subject to Remuneration	not required (“lawful”)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Albania

1. Legislation Reviewed

Law No. 9380 of April 28, 2005, on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 26(d)
Scope of private/personal use	usage (reproduction)
Type(s) of source work(s)	entire work or parts of works
Entity exercising private/personal use	
Purpose of private/personal use	for "private use" ⁸⁷
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	usage does not prejudice the copyright or the right holders rights on the work (reproduction does not prejudice the commercial exploitation of the work)
Subject to Attribution	
Subject to Remuneration	not required ("without any remuneration")

Note also Art. 26(f), which provides for photocopying of works in public libraries, made for individual usage within the library.

3. Quotations

Provision	Art. 27(1)
Scope of quotation	briefing, citation or reproduction
Type(s) of source work(s)	excerptions or parts of a work
Entity exercising quotation	
Purpose of quotation	for critical studies, or for discussions or theoretical purposes
Condition of quotation	
Preclusions (not part of quotation)	acts do not prejudice the commercial exploitation of the work
Subject to Attribution	title, author, publisher, translator (if translation)
Subject to Remuneration	not required ("without remuneration", "is permitted")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 27(2)
Scope of anthologies/compilations limitation/exception	reproduction, in anthologies

⁸⁷ Art. 4.23 (defining not "private use" but "personal use" as "a single copy, one reproduction, one translation, one adaptation or transformation of the work of others, only for personal use, for study necessity [sic] or for its [sic] personal satisfaction").

Type(s) of source work(s)	work or parts of it
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	must not exceed extent defined by legal provisions and bylaws in force
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author, publisher, translator (if translation) ⁸⁸
Subject to Remuneration	not required ("without remuneration")

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁸⁸ Reading Art. 27(3) as applying to anthologies for being "reproduction of the work or parts of it", as referred to in Art. 27(2).

Algeria

1. Legislation Reviewed

Order (Act) No. 03-05 dated 19 Jumada I, 1424 corresponding to July 19, 2003 related to Copyrights and Neighboring Rights

2. Private/Personal Use

Provision	Art. 41
Scope of private/personal use	reproduce, translate, quote, convert
Type(s) of source work(s)	work, (audio or audio-video recordings of a work) ⁸⁹
Entity exercising private/personal use	
Purpose of private/personal use	for personal or family use
Condition of private/personal use	
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	architectural works embodied in buildings or similar forms, written reproduction of a whole book, musical work in written form, a database in digital form, computer software ⁹⁰
Subject to Attribution	
Subject to Remuneration	not required ("without prejudicing the provisions ... of this law")

Provision	Art. 124
Scope of private/personal use	reproduce copy on a magnetic medium that has not been used before
Type(s) of source work(s)	audio or audio-video recordings of a work
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	a special copy
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	"special copy royalty" payable by manufacturer/importer of magnetic tapes or unused other media and recording devices to National Bureau of Copyrights and Neighbouring Rights to author/composer, performer/musician, producer of audio/audio-video recordings ⁹¹

⁸⁹ Art. 121 (applying the exceptions in Arts. 41-53 to audio or audio-video recordings of a work). Note the application of Art. 124 to reproductions of audio or audio-video recordings of a work onto magnetic media.

⁹⁰ Art. 52 (excepting using computer software and for archival purposes).

⁹¹ Arts. 124-129 (providing the distribution of royalties as follows: author/composer (30%), performer/musician (20%), producer of audio or audio-video recordings (20%), activity of promoting intellectual works creation and protecting traditional cultural heritage (30%).

Provision	Art. 44
Scope of private/personal use	acting or performing of a work
Type(s) of source work(s)	work, (audio or audio-video recordings of a work) ⁹²
Entity exercising private/personal use	
Purpose of private/personal use	family circle
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("is legal")

3. Quotations

Provision	Art. 43
Scope of quotation	use of decorative or illustrative drawing, in a publication, in an audio or audio video recording or in audio or audio video programs
Type(s) of source work(s)	literary or artistic work, (audio or audio-video recordings of a work) ⁹³
Entity exercising quotation	
Purpose of quotation	for teaching or professional training, if intended to achieve the targeted purpose
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (in accordance with ethics and practices of the profession)
Subject to Remuneration	not required ("is legal")

4. Research/Educational Reproduction

Note Art 45., which permits a library to reproduce a work in article form, a summarized work, an excerpt from a written work if published in a collection, in a newspaper volume or periodical, for educational, academic research or personal purposes, the reproduction process shall be an isolated and non-recurring act, and the National Bureau for Copyrights and Neighboring Rights has not granted a collective licence authorising such reproduction.

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 44
Scope of school performance	acting or performing of a work
Type(s) of source work(s)	work, (audio or audio-video recordings of a work) ⁹⁴

⁹² Art. 121 (applying the exceptions in Arts. 41-53 to audio or audio-video recordings of a work).

⁹³ Art. 121 (applying the exceptions in Arts. 41-53 to audio or audio-video recordings of a work).

Entity exercising school performance	
Purpose of school performance	for educational and training purposes to meet pure pedagogical needs
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is legal")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 33
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation for publication or broadcasting in Algeria
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	written publication or audio/audio-visual radio broadcast
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Condition of licence	written publication or broadcast has not been previously translated into national language and offered or conveyed to public in Algeria within 1 year from first publication no licence granted if right owner or representative offers the translation of work in question for public in Algeria in accordance with same conditions, price and form submitted by licence applicant ⁹⁵ subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of translated work under the same conditions, display, form and content or for a price similar to licensee's edition ⁹⁶
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair reward to the right owner ⁹⁷
Price of publication	
Distribution conditions	licence shall be limited to the national territory of Algeria but national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to

⁹⁴ Art. 121 (applying the exceptions in Arts. 41-53 to audio or audio-video recordings of a work).⁹⁵ Art. 37.⁹⁶ Art. 40.⁹⁷ Art. 39.

	citizens domiciled abroad subject to the international obligations of Algeria ⁹⁸
Grantor of compulsory licence	National Bureau of Copyrights & Neighboring Rights

Provision	Art. 33
Nature of compulsory licence for reproduction for educational purposes	non-exclusive compulsory licence, for reproduction and publication in Algeria ⁹⁹
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	scientific, fictional or any other work
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Condition of licence	for scientific work, no previous publication in Algeria within 3 years from first publication for fictional work, no previous publication in Algeria within 7 years from first publication for any other work, no previous publication in Algeria within 5 years from first publication no licence granted if right owner or representative offers the reproduction of work in question for public in Algeria in accordance with same conditions, price and form submitted by licence applicant ¹⁰⁰ subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of work under the same conditions, display, form and content or for a price similar to licensee's edition ¹⁰¹
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair reward to the right owner ¹⁰²
Price of publication	price equivalent to price applicable by national publishers
Distribution conditions	licence shall be limited to the national territory of Algeria but national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to citizens domiciled abroad subject to the international obligations of Algeria ¹⁰³
Grantor of compulsory licence	National Bureau of Copyrights & Neighboring

⁹⁸ Art. 38.⁹⁹ However, national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to citizens domiciled abroad subject to the international obligations of Algeria. Art. 38.¹⁰⁰ Art. 37.¹⁰¹ Art. 40.¹⁰² Art. 39.¹⁰³ Art. 38.

	Rights
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9. TPM/RMI Exceptions for Educational Purposes

Andorra

1. Legislation Reviewed

Law on Copyright and Neighboring Rights 1999

2. Private/Personal Use

Provision	Art. 7
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work (includes an audiovisual work or a work embodied in a phonogram)
Entity exercising private/personal use	physical person
Purpose of private/personal use	exclusively for his own private and personal use, including such use within the normal circle of his family and its social acquaintances
Condition of private/personal use	
Frequency/copies and limits	a single copy
Preclusions (not part of private/personal use)	reproduction of architectural works embodied in buildings or other construction, reprographic reproduction of a whole book or a substantial part thereof, or a musical work in graphic form, reproduction of an electronic database (except as provided in Art. 14) ¹⁰⁴ , reproduction of computer software (except as provided by Art. 12, 13) ¹⁰⁵ , reproduction of any work where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other copyright owner in, the work ¹⁰⁶ usage does not prejudice the copyright or the right holders rights on the work (reproduction does not prejudice the commercial exploitation of the work)
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable by manufacturer/importer of equipment/material normally used for private reproduction for personal purposes to CMO, to be distributed to authors, performers and phonogram producers ¹⁰⁷

Provision	Art. 32(1)(a)
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¹⁰⁴ These are for acts done by the lawful user of a database that are necessary for access to the contents of the database and for normal use by the lawful user.

¹⁰⁵ These are for, inter alia, use of the computer program, for backing up a copy of the software, for observation, study or testing, and for decompilation for interoperability purposes.

¹⁰⁶ Art. 7(2)(e). This is not a standalone condition to all private reproductions for personal purposes but one of the exceptions to the private and personal use exception.

¹⁰⁷ See also Art. 32(1)(a) read with Art. 32(2).

Scope of private/personal use	use
Type(s) of source work(s)	performance, phonogram and broadcast
Entity exercising private/personal use	physical person
Purpose of private/personal use	exclusively for own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(for reproduction of performances fixed in phonograms and phonograms) equitable remuneration payable by manufacturer/importer of equipment/material normally used for private reproduction for personal purposes to CMO, to be distributed to authors, performers and phonogram producers ¹⁰⁸

3. Quotations

Provision	Art. 8
Scope of quotation	reproduction, in the form of quotation, in another work
Type(s) of source work(s)	a short part of a published work, (performance, phonogram and broadcast) ¹⁰⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	such a reproduction is compatible with fair practice extent does not exceed the extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("permitted without authorization")

4. Research/Educational Reproduction

Provision	Art. 9(1)(a)
Scope of research/educational reproduction	reproduction, by way of illustration
Type(s) of source work(s)	(in writings) a short part of a published work, sound or visual recordings
Entity exercising reproduction	
Purpose of educational reproduction	for teaching
Condition of reproduction	compatible with fair practice

¹⁰⁸ Art. 32(1)(a) read with Art. 32(2).

¹⁰⁹ Art. 32(1)(d) (applying limitations and exceptions in Chapter II to neighbouring rights).

Frequency/copies and limits	extent does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (as far as practicable) ¹¹⁰
Subject to Remuneration	not required ("without authorization of author/owner")

Provision	Art. 9(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	a published article or other short work or short extract of a writing, with or without illustrations
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities do not serve direct or indirect commercial gain
Frequency/copies and limits	to the extent justified by the purpose act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (as far as practicable) ¹¹¹
Subject to Remuneration	not required ("without authorization of author/owner")

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹¹⁰ Art. 9(2).

¹¹¹ Art. 9(2).

Angola

1. Legislation Reviewed

Law No. 4/90 of March 10, 1990, on Author's Rights

2. Private/Personal Use

Provision	Art. 29(a)
Scope of private/personal use	performance, cinematographic projection and communication
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising private/personal use	
Purpose of private/personal use	in private premises
Condition of private/personal use	without payment of entrance charges
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("lawfully be permitted", "without authorization of author")

Provision	Art. 29(d)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or any other transformation
Type(s) of source work(s)	works already disclosed lawfully
Entity exercising private/personal use	
Purpose of private/personal use	exclusively individual and private purposes
Condition of private/personal use	work is respected
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("lawfully be permitted", "without authorization of author")

3. Quotations

Provision	Art. 29(e)
Scope of quotation	quotation, in written, sound or visual form
Type(s) of source work(s)	short fragments of works of others
Entity exercising quotation	
Purpose of quotation	justified by scientific, critical, didactic or informative purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("lawfully be permitted", "without authorization of author")

4. Research/Educational Reproduction

Provision	Art. 29(b)
Scope of research/educational reproduction	reproduction by photographic processes or processes analogous to photography
Type(s) of source work(s)	short works or extracts of works, already disclosed lawfully
Entity exercising reproduction	[inter alia] scientific institutions, teaching establishments
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	number of copies made does not exceed the requirements to be met by those copies
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author
Subject to Remuneration	not required (“lawfully be permitted”, “without authorization of author”)

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 29(a)
Scope of school performance	performance, cinematographic projection
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising school performance	
Purpose of school performance	for purely didactic purposes in teaching establishments
Condition of school performance	where taking place, without payment of entrance charges and without a lucrative purpose
Preclusions (not part of school performance)	
Subject to Attribution	title, author
Subject to Remuneration	not required (“lawfully be permitted”, “without authorization of author”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 29(a)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for purely didactic purposes in teaching establishments
Condition of	where taking place, without payment of entrance

broadcast/communication/recording	charges and without a lucrative purpose
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("lawfully be permitted", "without authorization of author")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 30
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation and publication in Portuguese or in one of the national languages in Angola ¹¹²
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	work already lawfully disclosed and which author has not withdrawn from publication
Licence applicant/entity	
Purpose of licence	for teaching or scientific research exclusively
Condition of licence	publication has not been previously translated and published within 3 years from first publication licensee had not been able to obtain authorization from owner for rights to translation and publication
Compulsory licence fee(s)	fair and equitable remuneration, transferred in convertible currency, paid to owner of rights of translation, publication, in accordance with international usage
Price of publication	
Distribution conditions	copies of translated work may be distributed on Angolan territory exclusively, except for copies that may be exported, within strictly necessary limits and with the express prohibition of marketing them, for Angolan nationals, or of organizations of Angolan nationals, residing abroad
Grantor of compulsory licence	State Secretariat for Culture

Provision	Art.30
Nature of compulsory licence for reproduction for educational purposes	non-exclusive compulsory licence, for reproduce a work ¹¹³
Facilities provided in Paris Act, Appendix	NA

¹¹² Licence may also be granted, for the sole purpose referred to in Art. 30, to a sound or visual broadcasting organization having its headquarters in Angola on condition that the translation and reproduction is effected from lawfully made copies. See Art. 30(2).

¹¹³ Licence may also be granted, for the sole purpose referred to in Art. 30, to a sound or visual broadcasting organization having its headquarters in Angola on condition that the translation and reproduction is effected from lawfully made copies. See Art. 30(2).

Type(s) of source work(s)	work already lawfully disclosed and which author has not withdrawn from publication
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Condition of licence	copies of reproduction have been exhausted within 3 years from first publication licensee had not been able to obtain authorization from owner for rights to reproduce work
Compulsory licence fee(s)	fair and equitable remuneration, transferred in convertible currency, paid to owner of rights of translation, publication, in accordance with international usage
Price of publication	
Distribution conditions	copies may be distributed on Angolan territory exclusively, except for copies that may be exported, within strictly necessary limits and with the express prohibition of marketing them, for Angolan nationals, or of organizations of Angolan nationals, residing abroad
Grantor of compulsory licence	National Bureau of Copyrights & Neighboring Rights

9. TPM/RMI Exceptions for Educational Purposes

Antigua and Barbuda

1. Legislation Reviewed

Copyright Act 2003

2. Private/Personal Use

Provision	ss 52, 54
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or private study
Condition of private/personal use	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

3. Quotations

Provision	ss 53, 54
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or of performance of a work
Condition of quotation	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and

	(d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹¹⁴
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous or author agreed that no acknowledgement be made, or not possible to ascertain identity for unpublished work) ¹¹⁵
Subject to Remuneration	not required (“does not infringe copyright”)

4. Research/Educational Reproduction

Provision	s 56(1)
Scope of research/educational reproduction	copying (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹¹⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“is not infringed”)

Provision	s 56(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹¹⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“is not infringed”)

Provision	s 59
Scope of research/educational reproduction	reprographic copies ¹¹⁸

¹¹⁴ S 60.

¹¹⁵ S 51 (defining “sufficient acknowledgment”).

¹¹⁶ S 60.

¹¹⁷ S 60.

Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Condition of reproduction	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences terms of any collective licence granted not to be more restrictive than this provision ¹¹⁹
Frequency/copies and limits	not more than 5% of any work in any quarter of the year reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion in collection
Type(s) of source work(s)	a short passage of a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Purpose of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	no more than 2 extracts from works by same author ¹²¹ are contained in collections by same publisher within 5 year period ¹²²

¹¹⁸ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

¹¹⁹ S 59(4).

¹²⁰ S 60.

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	inclusion accompanied by sufficient acknowledgment
Subject to Remuneration	not required (“does not infringe copyright”)

6. School Performances

Provision	ss 79, 123 ¹²³
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement of copyright/any [neighbouring] right”)

7. Educational Broadcasts/Communications/Recordings

Provision	ss 58, 119 ¹²⁴
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or

¹²¹ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹²² S 44(2).

¹²³ S 79 exempts from infringement the copyright in the sound recording; s 123 exempts from infringement the rights of performance and recording.

¹²⁴ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 119 exempts from infringement the rights of performance and recording.

	offered or exposed for sale or hire) ¹²⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“without infringing any copyright/[neighbouring] rights”)

Provision	s 56(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“is not infringed”)

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹²⁵ S 119(2) read with s 118(4).

¹²⁶ S 60.

Argentina

1. Legislation Reviewed

Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as last amended by Law No. 26.570 of November 25, 2009)

2. Private/Personal Use

3. Quotations

Provision	Art. 10
Scope of quotation	publish comments, criticisms or referring notes
Type(s) of source work(s)	intellectual works
Entity exercising quotation	any person
Purpose of quotation	for didactic or scientific purposes
Condition of quotation	including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	where “inclusions from works by other people are the main part of the new work”: equitable remuneration fixed by courts, in proportional amount to holders of rights in included works

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 10
Scope of anthologies/compilations limitation/exception	publish educational and teaching works, collections, anthologies and other similar works
Type(s) of source work(s)	intellectual works
Entity exercising anthologies/compilations limitation/exception	any person
Purpose of anthologies/compilations limitation/exception	for didactic or scientific purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	where “inclusions from works by other people are the main part of the new work”: equitable

	remuneration fixed by courts, in proportional amount to holders of rights in included works
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6. School Performances

Provision	Art. 36
Scope of school performance	recital and public performance, in public acts
Type(s) of source work(s)	literary or artistic works that are already published
Entity exercising school performance	organized by educational institutions
Purpose of school performance	for educational and training purposes to meet pure pedagogical needs, or linked with the fulfillment of their educational purposes
Condition of school performance	event in question is not broadcast outside the place where it occurs performers gather and perform free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("exempt from payment of copyrights and performers' rights")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 36
Scope of broadcast/communication/recording	public broadcasting by any means of the recital and performance
Type(s) of source work(s)	literary or artistic works that are already published, in public acts
Entity exercising broadcast/communication/recording	organized by educational institutions
Purpose of broadcast/communication/recording	for educational and training purposes to meet pure pedagogical needs, or linked with the fulfillment of their educational purposes
Condition of broadcast/communication/recording	performers gather and perform free of charge
Frequency/limits of broadcast/communication/recording	event in question is not broadcast outside the place where it occurs
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("exempt from payment of copyrights and performers' rights")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Armenia

1. Legislation Reviewed

Law on 4 July 2006 No. 3R-142 on Copyright and Related Rights (as amended up to 30.09.2013)

2. Private/Personal Use

Provision	Art. 23
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for private non-commercial use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture and constructions of a similar structure, machine-readable databases or their substantial parts, computer programs, whole books and sheet music does not prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 24(3)(d)
Scope of private/personal use	reproduction by means of handwritten transcription
Type(s) of source work(s)	sheet music
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	non-profit making purposes
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

3. Quotations

Provision	Art. 22(2)(a)
Scope of quotation	quotation, in original language or in translation
Type(s) of source work(s)	an extract of a work lawfully made available to the public, including extracts from articles of newspapers and magazines in the form of a press release
Entity exercising quotation	
Purpose of quotation	scientific, research, polemic, critical and

	informational purposes
Condition of quotation	to the extent justified by the purpose of the quotation
Preclusions (not part of quotation)	use does not conflict with a normal exploitation of the work and does not prejudice the legitimate interests of the author in connection with his work ¹²⁷
Subject to Attribution	source, author ¹²⁸
Subject to Remuneration	not required (“without remuneration”)

4. Research/Educational Reproduction

Provision	Art. 22(2)(b)
Scope of research/educational reproduction	use and extracts, in publications, in broadcasts and in audio and video recordings
Type(s) of source work(s)	works of literature and art lawfully made available to the public
Entity exercising reproduction	
Purpose of educational reproduction	illustration for educational purposes
Condition of reproduction	
Frequency/copies and limits	extent justified by the purpose of illustration for educational purposes
Preclusions (not part of research/educational reproduction)	use does not conflict with a normal exploitation of the work and does not prejudice the legitimate interests of the author in connection with his work ¹²⁹
Subject to Attribution	source, author ¹³⁰
Subject to Remuneration	not required (“free use”)

Provision	Art. 24(3)(a)
Scope of research/educational reproduction	reprographic reproduction ¹³¹
Type(s) of source work(s)	a lawfully published work
Entity exercising reproduction	[inter alia] educational and cultural institutions
Purpose of educational reproduction	restoring or substituting lost or damaged copies, as well as, providing a copy of the work to other libraries in case of loss of a copy of the work at those libraries
Condition of reproduction	if in ordinary conditions it is impossible for them to obtain a copy in another way non-profit making purposes ¹³²
Frequency/copies and limits	in one copy

¹²⁷ Art. 22(1) (defining “free use”).

¹²⁸ Art. 22(1) (defining “free use”).

¹²⁹ Art. 22(1) (defining “free use”).

¹³⁰ Art. 22(1) (defining “free use”).

¹³¹ Art. 24(1) (defining reprographic reproduction to mean the facsimile reproduction in one or more copies, in any dimension (enlarged or reduced) and in any form, of the original or the copy of a written or graphic work by means of photocopying or by similar technical means, except means connected with the application of printing type-faces).

¹³² Art. 24(3).

	reprographic reproduction shall not include the storage or reproduction of copies in electronic (including digital), optical or other machine-readable form ¹³³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“without the payment of remuneration”)

Provision	Art. 24(3)(b)
Scope of research/educational reproduction	reprographic reproduction ¹³⁴
Type(s) of source work(s)	(a) independent articles and small-volume works lawfully published in collections, newspapers and other periodical publications (b) lawfully published written works, but not computer programs
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	classroom use
Condition of reproduction	non-profit making purposes ¹³⁵
Frequency/copies and limits	(a): in one copy (b): short extracts reprographic reproduction shall not include the storage or reproduction of copies in electronic (including digital), optical or other machine-readable form ¹³⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“without the payment of remuneration”)

Provision	Art. 24(3)(c)
Scope of research/educational reproduction	reprographic reproduction ¹³⁷
Type(s) of source work(s)	a whole book
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	non-profit making purposes ¹³⁸

¹³³ Art. 24(2).

¹³⁴ Art. 24(1) (defining reprographic reproduction to mean the facsimile reproduction in one or more copies, in any dimension (enlarged or reduced) and in any form, of the original or the copy of a written or graphic work by means of photocopying or by similar technical means, except means connected with the application of printing type-faces).

¹³⁵ Art. 24(3).

¹³⁶ Art. 24(2).

¹³⁷ Art. 24(1) (defining reprographic reproduction to mean the facsimile reproduction in one or more copies, in any dimension (enlarged or reduced) and in any form, of the original or the copy of a written or graphic work by means of photocopying or by similar technical means, except means connected with the application of printing type-faces).

¹³⁸ Art. 24(3).

	such a work is out of print for no less than 2 years
Frequency/copies and limits	a single copy reprographic reproduction shall not include the storage or reproduction of copies in electronic (including digital), optical or other machine-readable form ¹³⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“without the payment of remuneration”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 22(2)(b)
Scope of anthologies/compilations limitation/exception	use in publications
Type(s) of source work(s)	extracts of works of literature and art lawfully made available to the public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration for educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	extent justified by the purpose of illustration for educational purposes
Preclusions (not part of anthologies/compilations limitation/exception)	use does not conflict with a normal exploitation of the work and does not prejudice the legitimate interests of the author in connection with his work ¹⁴⁰
Subject to Attribution	source, author ¹⁴¹
Subject to Remuneration	not required (“free use”)

6. School Performances

Provision	Art. 22(2)(g)
Scope of school performance	public performance
Type(s) of source work(s)	a musical work lawfully made public
Entity exercising school performance	educational institutions
Purpose of school performance	in the course of educational activities with the participation of teachers and students
Condition of school performance	audience is composed of teachers and students, as well as persons directly connected with the educational institution (parents, guardians,

¹³⁹ Art. 24(2).

¹⁴⁰ Art. 22(1) (defining “free use”).

¹⁴¹ Art. 22(1) (defining “free use”).

	trustees, tutors)
Preclusions (not part of school performance)	use does not conflict with a normal exploitation of the work and does not prejudice the legitimate interests of the author in connection with his work ¹⁴²
Subject to Attribution	source, author (not obligatory)
Subject to Remuneration	not required ("free use")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 22(2)(b)
Scope of broadcast/communication/recording	use and extracts, in broadcasts and audio and video recordings
Type(s) of source work(s)	works of literature and art lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	extent justified by the purpose of illustration for educational purposes
Preclusions (not part of broadcast/communication/recording)	use does not conflict with a normal exploitation of the work and does not prejudice the legitimate interests of the author in connection with his work ¹⁴³
Subject to Attribution	source, author ¹⁴⁴
Subject to Remuneration	not required ("free use")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁴² Art. 22(1) (defining "free use").

¹⁴³ Art. 22(1) (defining "free use").

¹⁴⁴ Art. 22(1) (defining "free use").

Australia

1. Legislation Reviewed

Copyright Act 1968 (consolidated as of June 27, 2015)

2. Private/Personal Use

Provision	ss 40, 103C
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or adaptation of a literary, dramatic or musical work, or "audio-visual item" ¹⁴⁵
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or study ¹⁴⁶
Condition of private/personal use	to determine if a dealing with a work constitutes fair dealing, the matters to have regard include: (a) the purpose and character of the dealing; (b) the nature of the work/adaptation/audio-visual item in question; (c) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item – in a case where part only of the work/adaptation/audio-visual item is reproduced; ¹⁴⁷
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement")

Provision	s 248A ("exempt recording": definition para. (a))
Scope of private/personal use	making an indirect ¹⁴⁸ cinematographic film
Type(s) of source work(s)	a performance ¹⁴⁹ [as an "exempt recording" ¹⁵⁰]

¹⁴⁵ S 100A (defining an "audio visual item" as a sound recording, a cinematograph film, a sound broadcast or a television broadcast).

¹⁴⁶ Ss 40, 103C.

¹⁴⁷ Ss 40, 103C, 248(1A).

¹⁴⁸ S 248A (defining "indirect recording" as a sound recording or cinematograph film made from a communication of a live performance).

¹⁴⁹ "Performance" excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁵⁰ S 248A (defining a "recording" of a performance as excluding an "exempt recording").

Entity exercising private/personal use	
Purpose of private/personal use	private and domestic use of person who made film
Condition of private/personal use	film or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ¹⁵¹ film is not taken to have been made for private and domestic use of person who made it if made for purpose of sale, hire, trade, distribution, exhibiting in public, broadcasting or causing film to be seen or heard in public ¹⁵²
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 248A (“exempt recording”: definition para. (aaa))
Scope of private/personal use	making an indirect ¹⁵³ cinematographic film or sound recording
Type(s) of source work(s)	a communication that is a broadcast of a performance ¹⁵⁴ [as an “exempt recording” ¹⁵⁵]
Entity exercising private/personal use	
Purpose of private/personal use	solely for private and domestic use by watching or listening to the performance at a time more convenient than the time of broadcast
Condition of private/personal use	film or sound recording is made in domestic premises film or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ¹⁵⁶ film is not taken to have been made for private and domestic use of person who made it if made for purpose of sale, hire, trade, distribution, exhibiting in public, broadcasting or causing film to be seen or heard in public ¹⁵⁷
Frequency/copies and limits	

¹⁵¹ S 248C(2).

¹⁵² S 248D.

¹⁵³ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

¹⁵⁴ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁵⁵ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁵⁶ S 248C(1A), (2).

¹⁵⁷ S 248D.

Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“recording’ means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 248A (“exempt recording”: definition para. (aa))
Scope of private/personal use	fair dealing with an indirect ¹⁵⁸ sound recording
Type(s) of source work(s)	a performance ¹⁵⁹ [as an “exempt recording” ¹⁶⁰]
Entity exercising private/personal use	
Purpose of private/personal use	research or study ¹⁶¹
Condition of private/personal use	to determine if a recording constitutes fair dealing, the matters to have regard include: (a) the purpose and character of the recording; (b) the nature of the performance in question; (c) the possibility of obtaining the authorized recording within a reasonable time at an ordinary commercial price; (d) the effect of the dealing upon the potential market for, or value of, the authorized recording (of the performance); (e) the amount and substantiality of the part recorded taken in relation to the whole performance – in a case where part only of the performance is reproduced/recorded; ¹⁶² sound recording or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ¹⁶³
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“recording’ means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 40(3)
Scope of private/personal use	fair dealing by way of reproduction
Type(s) of source work(s)	all or part of a literary, dramatic or musical work, or of an adaptation of such a work, contained in an article in a periodical publication

¹⁵⁸ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

¹⁵⁹ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁶⁰ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁶¹ S 248A (defining, in definition (aa), an “exempt recording” as one for purpose of research or study).

¹⁶² S 248(1A).

¹⁶³ S 248C(1A).

Entity exercising private/personal use	
Purpose of private/personal use	for the purpose of research or study
Condition of private/personal use	“fair dealing” despite fair dealing factors ¹⁶⁴
Frequency/copies and limits	
Preclusions (not part of private/personal use)	another article in publication is also reproduced for purpose of different research or a different course of study ¹⁶⁵
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement”)

Provision	s 40(5)
Scope of private/personal use	reproduction as fair dealing
Type(s) of source work(s)	- a literary, dramatic or musical work (except a computer program), or an adaptation of such a work, in a published edition of at least 10 pages - a published literary work in electronic form (except a computer program or an electronic compilation), a published dramatic work in electronic form or an adaptation in electronic form of such a literary or dramatic work such a work not contained in an article in a periodical publication
Entity exercising private/personal use	
Purpose of private/personal use	for the purpose of research or study
Condition of private/personal use	
Frequency/copies and limits	not more than a “reasonable portion” of [source work]; “reasonable portion” ¹⁶⁶ means: - literary, dramatic or musical work (except a computer program), or an adaptation – 10% of number of pages in edition, or a single chapter if work/adaptation is divided into chapters - published literary/dramatic/adaptation in electronic form ¹⁶⁷ – 10% of number of words, or a single chapter if work/adaptation is divided into chapters
Preclusions (not part of private/personal use)	any subsequent reproduction made by same person of any other part of same work/adaptation ¹⁶⁸
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement”)

¹⁶⁴ S 40(3) (starting with the expression “despite subsection (2)”, which sets out the fair dealing factors).

¹⁶⁵ S 40(4).

¹⁶⁶ S 40(5) uses the expression “despite subsection (2)”, which is intended to make clear that a reproduction of more than a “reasonable portion” of the works referred to in s 40(5) may still be considered a fair dealing for research or study under ss 40(1) and (2). See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 66, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

¹⁶⁷ S 40(6) provides that if work exists in both electronic and non-electronic form, a fair dealing is a “reasonable portion” as long as the reproduction of it is a “reasonable portion” in either form. See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 67, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

¹⁶⁸ S 40(7).

3. Quotations

Provision	ss 41, 103A
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, or with an audio-visual item
Entity exercising quotation	
Purpose of quotation	for the purpose of criticism or review, whether of that work/audio-visual item or of another work/audio-visual item
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title of work/audio-visual item (or other description), author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ¹⁶⁹
Subject to Remuneration	not required (“not an infringement”)

Provision	s 248A (“exempt recording”: definition para. (f)(ii))
Scope of quotation	make a direct ¹⁷⁰ or indirect ¹⁷¹ cinematograph film
Type(s) of source work(s)	a performance ¹⁷² [as an “exempt recording” ¹⁷³]
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	film or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ¹⁷⁴
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“‘recording’ means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 248A (“exempt recording”: definition para. (fa)(i))
Scope of quotation	fair dealing with a direct ¹⁷⁵ or indirect ¹⁷⁶ sound recording

¹⁶⁹ S 10(1) (defining “sufficient acknowledgment”).

¹⁷⁰ S 248A (defining “direct recording” as a sound recording or cinematograph film made directly from a live performance).

¹⁷¹ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

¹⁷² “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁷³ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁷⁴ S 248C(2).

¹⁷⁵ S 248A (defining “direct recording” as a sound recording or cinematograph film made directly from a live performance).

¹⁷⁶ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

Type(s) of source work(s)	a performance ¹⁷⁷ [as an “exempt recording” ¹⁷⁸]
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that performance or another performance ¹⁷⁹
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording or cinematograph film, other than an exempt recording”)

4. Research/Educational Reproduction

Provision	ss 40, 103C
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or adaptation of a literary, dramatic or musical work, or “audio-visual item” ¹⁸⁰
Entity exercising reproduction	
Purpose of educational reproduction	for purposes of research or study ¹⁸¹
Condition of reproduction	in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item in question; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price ¹⁸²
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement”)

Provision	s 248A (“exempt recording”: definition para. (aa))
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¹⁷⁷ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁷⁸ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁷⁹ S 248A (defining, in definition (aa), an “exempt recording” as one for purpose of research or study).

¹⁸⁰ S 100A (defining an “audio visual item” as a sound recording, a cinematograph film, a sound broadcast or a television broadcast).

¹⁸¹ Ss 40, 103C.

¹⁸² Ss 40, 103C, 248(1A).

Scope of research/educational reproduction	fair dealing with an indirect ¹⁸³ sound recording
Type(s) of source work(s)	a performance ¹⁸⁴ [as an “exempt recording” ¹⁸⁵]
Entity exercising reproduction	
Purpose of educational reproduction	research or study ¹⁸⁶
Condition of reproduction	to determine if a recording constitutes fair dealing, the matters to have regard include: (a) the purpose and character of the recording; (b) the nature of the performance in question; (c) the possibility of obtaining the authorized recording within a reasonable time at an ordinary commercial price; (d) the effect of the dealing upon the potential market for, or value of, the authorized recording (of the performance); (e) the amount and substantiality of the part recorded taken in relation to the whole performance – in a case where part only of the performance is reproduced/recorded; ¹⁸⁷ sound recording or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ¹⁸⁸
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 40(1A)
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a literary work (other than lecture notes)
Entity exercising reproduction	an enrolled external student of an “educational institution” ¹⁸⁹
Purpose of educational reproduction	for the purpose of, or associated with, an approved course of study or research

¹⁸³ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

¹⁸⁴ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁸⁵ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁸⁶ S 248A (defining, in definition (aa), an “exempt recording” as one for purpose of research or study).

¹⁸⁷ S 248(1A).

¹⁸⁸ S 248C(1A).

¹⁸⁹ S 10(1) (defining an “educational institution” as pre-school, kindergarten, full-time primary school, full-time secondary school, university, college of advanced education or technical and further educational institution, institution that conducts primary, secondary or tertiary education by correspondence or on an external study basis, school of nursing, undertaking within a hospital, a teacher education centre, a general education institution, an occupation or professional preparation or continuing education institution, an institution for teaching English to people whose first language is not English, a teacher training undertaking for instructors for the previous educational institutions, and an institution that is providing teaching material to the previous educational institutions).

Condition of reproduction	in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing; (b) the nature of the work in question; (c) the possibility of obtaining the work or adaptation within a reasonable time at an ordinary commercial price; (d) the effect of the dealing upon the potential market for, or the commercial value of, the work or adaptation; (e) where part only of the work or adaptation is reproduced--the amount and substantiality of the part copied taken in relation to the whole work or adaptation.
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement")

Provision	s 40(5)
Scope of research/educational reproduction	reproduction as fair dealing
Type(s) of source work(s)	not more than a "reasonable portion" of - a literary, dramatic or musical work (except a computer program), or an adaptation of such a work, in a published edition of at least 10 pages - a published literary work in electronic form (except a computer program or an electronic compilation), a published dramatic work in electronic form or an adaptation in electronic form of such a literary or dramatic work such a work not contained in an article in a periodical publication
Entity exercising reproduction	
Purpose of educational reproduction	for the purpose of research or study
Condition of reproduction	
Frequency/copies and limits	"reasonable portion" ¹⁹⁰ means: - literary, dramatic or musical work (except a computer program), or an adaptation – 10% of number of pages in edition, or a single chapter if work/adaptation is divided into chapters - published literary/dramatic/adaptation in electronic form ¹⁹¹ – 10% of number of words, or a single chapter if work/adaptation is divided into

¹⁹⁰ S 40(5) uses the expression "despite subsection (2)", which is intended to make clear that a reproduction of more than a "reasonable portion" of the works referred to in s 40(5) may still be considered a fair dealing for research or study under ss 40(1) and (2). See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 66, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

¹⁹¹ S 40(6) provides that if work exists in both electronic and non-electronic form, a fair dealing is a "reasonable portion" as long as the reproduction of it is a "reasonable portion" in either form. See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 67, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

	chapters
Preclusions (not part of research/educational reproduction)	any subsequent reproduction made by same person of any other part of same work/adaptation ¹⁹²
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement”)

Provision	Part VB, Division 2, s 135ZG
Scope of research/educational reproduction	multiple reproductions of a page or pages of “insubstantial parts” of works
Type(s) of source work(s)	literary or dramatic work in a document (hardcopy form) ¹⁹³
Entity exercising reproduction	
Purpose of educational reproduction	for the purposes of a course of education provided by an educational institution
Condition of reproduction	reproduction is carried out on the premises of an educational institution ¹⁹⁴
Frequency/copies and limits	exception not applicable to reproduction of whole work ¹⁹⁵ “insubstantial part” means not more than 2 pages of work in edition (if edition has not more than 200 pages), or not more than 1% of total number of pages in edition (if edition has more than 200 pages) ¹⁹⁶ no reproduction under this exception of any other part of same work within 14 days of previous reproduction ¹⁹⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement”)

Provision	Part VB, Division 2, ss 135ZJ, 135ZK, 135ZL
Scope of research/educational reproduction	multiple reproductions
Type(s) of source work(s)	whole or part of: - an article in a printed periodical publication ¹⁹⁸ - a literary or dramatic work, being a work contained in a printed published anthology of works and comprising not more than 15 pages in that anthology ¹⁹⁹

¹⁹² S 40(7).

¹⁹³ S 135ZGA(1).

¹⁹⁴ S 135ZG(1).

¹⁹⁵ S 135ZG(2).

¹⁹⁶ S 135ZG(3).

¹⁹⁷ S 135ZG(4).

¹⁹⁸ S 135ZJ(1).

¹⁹⁹ S 135ZK.

	- a literary, dramatic, musical or artistic work (other than an article contained in a periodical publication) ²⁰⁰ (including artistic works included for purposes of explaining or illustrating the article or other work ²⁰¹)
Entity exercising reproduction	by, or on behalf of, a body administering an educational institution
Purpose of educational reproduction	solely for the educational purposes of the institution or of another educational institution
Condition of reproduction	remuneration notice is given by or on behalf of body administering an educational institution to relevant collecting society body complies with marking and record keeping requirements for each reproduction ²⁰²
Frequency/copies and limits	not applicable to reproductions of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter ²⁰³ not applicable to reproductions of whole or of more than a reasonable portion of a work that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that reproductions (other than second-hand reproductions) of the work cannot be obtained within a reasonable time at an ordinary commercial price ²⁰⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration notice as undertaking to pay equitable remuneration to collecting society for copies made pursuant to provision, to be assessed on the basis of a records system, a sampling system or an electronic use system ²⁰⁵ remuneration apportioned between copyright owners of work/article and of artistic works ²⁰⁶

Provision	Part VB, Division 2A, s 135ZMB
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²⁰⁰ S 135ZL.

²⁰¹ S 135ZM.

²⁰² Ss 135ZX and 135ZXA.

²⁰³ S 135ZJ(2).

²⁰⁴ S 135ZL(2).

²⁰⁵ S 135ZU.

²⁰⁶ S 135ZM(2).

Scope of research/educational reproduction	multiple reproductions (and communication)
Type(s) of source work(s)	not “substantial parts” of electronic ²⁰⁷ literary or dramatic work ²⁰⁸
Entity exercising reproduction	
Purpose of educational reproduction	for the purposes of a course of education provided by an educational institution
Condition of reproduction	
Frequency/copies and limits	<p>reproduction or communication is carried out on the premises of an educational institution for the purposes of a course of study provided by it²⁰⁹</p> <p>“substantial part” means more than 2 pages (without altering any content) of work (which contains pages), work has more than 200 pages, <i>and</i> number of pages reproduced/communicated exceeds 1% of number of pages²¹⁰</p> <p>“substantial part” means number of words reproduced/communicated exceeds 1% of number of words in work (which does not contain pages)²¹¹</p> <p>no reproduction/communication under this exception of any other part of same work within 14 days of previous reproduction/communication²¹²</p> <p>no communication under this exception while previous part made available online is still available²¹³</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“not infringed”)

Provision	Part VB, Division 2A, ss 135ZMC, 135ZMD, 135ZMDA
Scope of research/educational reproduction	multiple reproductions (and communication)
Type(s) of source work(s)	<p>whole or part of:</p> <ul style="list-style-type: none"> an article in an electronic²¹⁴ periodical publication²¹⁵ an electronic²¹⁶ literary, dramatic, musical or

²⁰⁷ S 135ZMA (limiting Division 2A to electronic forms of works).

²⁰⁸ S 135ZMB(1).

²⁰⁹ S 135ZMB(1).

²¹⁰ S 135ZMB(1A).

²¹¹ S 135ZMB(2).

²¹² S 135ZMB(3).

²¹³ S 135ZMB(4).

²¹⁴ S 135ZMA (limiting Division 2A to electronic forms of works).

²¹⁵ S 135ZMC(1).

	<p>artistic work (other than an article contained in a periodical publication)²¹⁷</p> <ul style="list-style-type: none"> a literary or dramatic work in an electronic²¹⁸ anthology²¹⁹ (work occupies no more than 15 “pages”²²⁰ of published anthology) <p>including artistic works in electronic form included for purposes of explaining or illustrating the article or other work²²¹</p>
Entity exercising reproduction	by, or on behalf of, a body administering an educational institution
Purpose of educational reproduction	solely for the educational purposes of the institution or of another educational institution
Condition of reproduction	<p>remuneration notice is given by or on behalf of body administering an educational institution to relevant collecting society</p> <p>body complies with marking and record keeping requirements for each reproduction²²²</p>
Frequency/copies and limits	<p>not applicable to reproductions/communication of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter²²³</p> <p>not applicable to reproductions of whole or of more than a reasonable portion of a literary or dramatic work, or the whole or more than 10% of a musical work, that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that work is not available in electronic form within a reasonable time at an ordinary commercial price²²⁴</p> <p>no communication under this provision while previous part made available online is still available²²⁵</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration notice as undertaking to pay

²¹⁶ S 135ZMA (limiting Division 2A to electronic forms of works).

²¹⁷ S 135ZMD.

²¹⁸ S 135ZMA (limiting Division 2A to electronic forms of works).

²¹⁹ S 135ZMDA.

²²⁰ The concept of a “page” in electronic form refers to “pages whose content is unlikely to change regardless of the system used to view, reproduce or communicate them”. See e.g., s 135ZMDA(b).

²²¹ S 135ZME.

²²² Ss 135ZX and 135ZXA.

²²³ S 135ZMC(2).

²²⁴ S 135ZMD(2).

²²⁵ S 135ZMD(3).

	equitable remuneration to collecting society for copies made pursuant to provision, to be assessed on the basis of a records system, a sampling system or an electronic use system ²²⁶ remuneration apportioned between copyright owners of work/article and of artistic works ²²⁷
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Provision	s 200(1)
Scope of research/educational reproduction	reproduction, or making or reproduction of adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic ²²⁸ work
Entity exercising reproduction	teacher or student (reproduction or adaptation) person or authority in charge of place of education not conducted for profit (making a record)
Purpose of educational reproduction	in the course of educational instruction or as part of the questions to be answered in an examination, or in an answer to such a question ²²⁹
Condition of reproduction	reproduction cannot be by appliance adapted for production of multiple copies or by appliance capable of producing a copy or copies by reprographic reproduction process
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("is not infringed")

Provision	s 200AB(3)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a work or other subject matter
Entity exercising reproduction	made by or on behalf of a body administering an educational institution ²³⁰
Purpose of educational reproduction	made for the purpose of giving educational instruction ²³¹
Condition of reproduction	not made partly for the purpose of the body obtaining a commercial advantage or profit ²³² use does not fall within any other provision of the Act ²³³

²²⁶ S 135ZU.

²²⁷ S 135ZME(2).

²²⁸ The Australian Copyright Act does not recognize a right of adaptation of artistic works.

²²⁹ S 200(1)(a), (b).

²³⁰ S 200AB(3)(a).

²³¹ S 200AB(3)(b).

²³² S 200AB(3)(c). S 200AB(6A) (providing that merely charging a fee connected with the use which does not exceed the cost of the use to the charger of the fee will not disqualify).

Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use amounts to a special case ²³⁴ use does not conflict with a normal exploitation of the work or other subject-matter ²³⁵ use does not unreasonably prejudice the legitimate interests of the owner of the copyright ²³⁶
Subject to Attribution	
Subject to Remuneration	not required ("is not infringed")

Notes: Part VB also contain provisions for the educational reproduction of works for the "print disabled" and the "intellectually disabled". These will not be discussed in this study.

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 44
Scope of anthologies/compilations limitation/exception	inclusion, in a collection of literary, dramatic, musical or artistic works contained in a book, sound recording or cinematograph film
Type(s) of source work(s)	a short extract from a published work or adaptation
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use by places of education
Condition of anthologies/compilations limitation/exception	collection is described as being intended for use by places of education in an appropriate place/label in book, record, film work or adaptation was not published for the purpose of being used by places of education collection consists principally of matter in which copyright does not subsist
Frequency/copies and limits	not applicable if, in addition to extract concerned, 2 or more extracts from works/adaptations by same author ²³⁷ are contained in that collection or similar collection by same publisher within 5 year period ²³⁸
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless work is

²³³ S 200AB(6).

²³⁴ S 200AB(1)(a). S 200AB(7) (defining "special case", "conflict with a normal exploitation" and "unreasonably prejudice the legitimate interest" as having the same meaning as Art. 13 of the TRIPS Agreement).

²³⁵ S 200AB(1)(c).

²³⁶ S 200AB(1)(d).

²³⁷ S 83 (explaining that author includes works of joint authorship, so that works by any one or more of the authors of the extract concerned will count towards the preclusion).

²³⁸ S 44(2).

	anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ²³⁹
Subject to Remuneration	not required ("copyright ... is not infringed")

6. School Performances

Provision	s 28(1)
Scope of school performance	performance
Type(s) of source work(s)	literary, dramatic or musical work causing sounds of sound recordings and visual images of cinematograph films to be heard and seen
Entity exercising school performance	performed by a teacher or by a student
Purpose of school performance	for giving or receiving educational instruction, not being instruction given "for profit" ²⁴⁰
Condition of school performance	performed in class, or otherwise in the presence of an audience audience is limited to persons who are taking part in the instruction or are otherwise "directly connected" ²⁴¹ with the place where the instruction is given
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("deemed not to be a performance in public")

Provision	s 200AB(3)
Scope of school performance	use
Type(s) of source work(s)	a work or other subject matter
Entity exercising school performance	made by or on behalf of a body administering an educational institution ²⁴²
Purpose of school performance	made for the purpose of giving educational instruction ²⁴³
Condition of school performance	not made partly for the purpose of the body obtaining a commercial advantage or profit ²⁴⁴

²³⁹ S 10(1) (defining "sufficient acknowledgment").

²⁴⁰ S 28(2) ("For the purposes of this section, educational instruction given by a teacher at a place of education that is not conducted for profit shall not be taken to be given for profit by reason only that the teacher receives remuneration for giving the instruction.")

²⁴¹ S 28(5) ("For the purposes of this section, a person shall not be taken to be directly connected with a place where instruction is given by reason only that he or she is a parent or guardian of a student who receives instruction at that place").

²⁴² S 200AB(3)(a).

²⁴³ S 200AB(3)(b).

²⁴⁴ S 200AB(3)(c). S 200AB(6A) (providing that merely charging a fee connected with the use which does not exceed the cost of the use to the charger of the fee will not disqualify).

	use does not fall within any other provision of the Act ²⁴⁵
Preclusions (not part of school performance)	use amounts to a special case ²⁴⁶ use does not conflict with a normal exploitation of the work or other subject-matter ²⁴⁷ use does not unreasonably prejudice the legitimate interests of the owner of the copyright ²⁴⁸
Subject to Attribution	
Subject to Remuneration	not required ("is not infringed")

7. Educational Broadcasts/Communications/Recordings

Provision	s 200(2)
Scope of broadcast/communication/recording	making of a record
Type(s) of source work(s)	a sound broadcast that was intended to be used for educational purposes
Entity exercising broadcast/communication/recording	person or authority in charge of place of education not conducted for profit
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	record is made by, or on behalf of, [entity] record is not used except in course of instruction
Frequency/limits of broadcast/communication/recording	record is not used except at place of education
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not constitute an infringement")

Provision	s 200(2A)
Scope of broadcast/communication/recording	making of a record
Type(s) of source work(s)	a sound broadcast
Entity exercising broadcast/communication/recording	body administering an educational institution
Purpose of broadcast/communication/recording	

²⁴⁵ S 200AB(6).

²⁴⁶ S 200AB(1)(a). S 200AB(7) (defining "special case", "conflict with a normal exploitation" and "unreasonably prejudice the legitimate interest" as having the same meaning as Art. 13 of the TRIPS Agreement).

²⁴⁷ S 200AB(1)(c).

²⁴⁸ S 200AB(1)(d).

Condition of broadcast/communication/recording	record is made by, or on behalf of, [entity] record is not used except for the educational purposes of that educational institution or another educational institution
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright in the broadcast")

Provision	s 28(5)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a literary, dramatic or musical work, a sound recording or a cinematograph film
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	communication made merely to facilitate a performance, or to cause sounds or images of a sound recording/film to be heard or seen (that is not a performance in public or an act causing the sound recording/film to be heard/seen in public under s 28)
Condition of broadcast/communication/recording	where taking place, without payment of entrance charges and without a lucrative purpose
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not to be a communication to the public")

Provision	s 28(6)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a television broadcast or sound broadcast or an artistic work (not to be a communication of the broadcast or of work or other subject-matter included in the broadcast, to the public)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	(distance learning) communication made merely to facilitate broadcast/sound broadcast/work being seen/heard, in class or otherwise in the presence of an audience, in the course of educational instruction that is given by a teacher; and is not given for profit
Condition of	

broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	audience is limited to persons who are taking part in the instruction or are otherwise directly connected with the place where the instruction is given
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“not to be a communication of the broadcast”)

Provision	Part VA (ss 135A to 135ZA)
Scope of broadcast/communication/recording	making or communication
Type(s) of source work(s)	a copy of a broadcast ²⁴⁹ or any work, sound recording or cinematograph film included in a broadcast ²⁵⁰
Entity exercising broadcast/communication/recording	“administering body” ²⁵¹ – a body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of the institution or of another educational institution ²⁵²
Condition of broadcast/communication/recording	remuneration notice given by administering body to collecting body administering body complies with prescribed requirements ²⁵³
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	“remuneration notice” – notice in writing to collecting society, undertaking to pay equitable remuneration to society for copies of broadcasts and communications of such copies of broadcasts made by administering body or on its behalf, while notice is in force ²⁵⁴

Provision	Part VB, Division 2A, s 135ZMB
Scope of broadcast/communication/recording	communication

²⁴⁹ S 135C (extending the definition of “broadcast” to include free-to-air broadcast and broadcasts made available online).

²⁵⁰ S 135E(1).

²⁵¹ S 135A (defining “administering body” as a body administering an “institution”, which is in turn defined to mean an educational institution or an institution assisting persons with an intellectual disability).

²⁵² S 135E(1)(b).

²⁵³ S 135E(1)(a).

²⁵⁴ S 135G. The notice shall specify whether the amount of equitable remuneration is to be assessed on the basis of a records system, a sampling system or an agreed system.

Type(s) of source work(s)	not “substantial parts” of electronic ²⁵⁵ literary or dramatic work ²⁵⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the purposes of a course of study provided by an educational institution ²⁵⁷
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	<p>communication is carried out on the premises of an educational institution</p> <p>“substantial part” means more than 2 pages (without altering any content) of work (which contains pages), work has more than 200 pages, <i>and</i> number of pages reproduced/communicated exceeds 1% of number of pages²⁵⁸</p> <p>“substantial part” means number of words reproduced/communicated exceeds 1% of number of words in work (which does not contain pages)²⁵⁹</p> <p>no reproduction/communication under this exception of any other part of same work within 14 days of previous reproduction/communication²⁶⁰</p> <p>no communication under this exception while previous part made available online is still available²⁶¹</p>
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“not infringed”)

Provision	Part VB, Division 2A, ss 135ZMC, 135ZMD, 135ZMDA
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	<p>whole or part of:</p> <ul style="list-style-type: none"> an article in an electronic²⁶² periodical publication²⁶³ an electronic²⁶⁴ literary, dramatic, musical or artistic work (other than an article contained

²⁵⁵ S 135ZMA (limiting Division 2A to electronic forms of works).

²⁵⁶ S 135ZMB(1).

²⁵⁷ S 135ZMB(1).

²⁵⁸ S 135ZMB(1A).

²⁵⁹ S 135ZMB(2).

²⁶⁰ S 135ZMB(3).

²⁶¹ S 135ZMB(4).

²⁶² S 135ZMA (limiting Division 2A to electronic forms of works).

²⁶³ S 135ZMC(1).

	<p>in a periodical publication)²⁶⁵</p> <ul style="list-style-type: none"> a literary or dramatic work in an electronic anthology²⁶⁷ (work occupies no more than 15 “pages”²⁶⁸ of published anthology) <p>including artistic works in electronic form included for purposes of explaining or illustrating the article or other work²⁶⁹</p>
Entity exercising broadcast/communication/recording	by, or on behalf of, a body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of the institution or of another educational institution
Condition of broadcast/communication/recording	<p>remuneration notice is given by or on behalf of body administering an educational institution to relevant collecting society</p> <p>body complies with marking and record keeping requirements for each reproduction²⁷⁰</p>
Frequency/limits of broadcast/communication/recording	<p>reproductions/communication of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter²⁷¹</p> <p>reproductions of whole or of more than a reasonable portion of a literary or dramatic work, or the whole or more than 10% of a musical work, that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that work is not available in electronic form within a reasonable time at an ordinary commercial price²⁷²</p> <p>no communication while previous part made available online is still available²⁷³</p>
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	remuneration notice as undertaking to pay equitable remuneration to collecting society for copies made pursuant to provision, to be

²⁶⁴ S 135ZMA (limiting Division 2A to electronic forms of works).

²⁶⁵ S 135ZMD.

²⁶⁶ S 135ZMA (limiting Division 2A to electronic forms of works).

²⁶⁷ S 135ZMDA.

²⁶⁸ The concept of a “page” in electronic form refers to “pages whose content is unlikely to change regardless of the system used to view, reproduce or communicate them”. See e.g., s 135ZMDA(b).

²⁶⁹ S 135ZME.

²⁷⁰ Ss 135ZX and 135ZXA.

²⁷¹ S 135ZMC(2).

²⁷² S 135ZMD(2).

²⁷³ S 135ZMD(3).

	assessed on the basis of a records system, a sampling system or an electronic use system ²⁷⁴ remuneration apportioned between copyright owners of work/article and of artistic works ²⁷⁵
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Provision	s 248A (“exempt recording”: definition para. (b))
Scope of broadcast/communication/recording	making an indirect ²⁷⁶ cinematographic film
Type(s) of source work(s)	a performance ²⁷⁷ [as an “exempt recording” ²⁷⁸]
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purpose of use in scientific research
Condition of broadcast/communication/recording	film or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁷⁹
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 248A (“exempt recording”: definition para. (c))
Scope of broadcast/communication/recording	making an indirect ²⁸⁰ cinematographic film
Type(s) of source work(s)	a performance ²⁸¹ [as an “exempt recording” ²⁸²]
Entity exercising broadcast/communication/recording	made by, or on behalf of, the body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of that institution or of another educational institution deemed to be for educational purposes if made: for use in connection with a particular course of instruction provided by the institution, or for

²⁷⁴ S 135ZU.

²⁷⁵ S 135ZME(2).

²⁷⁶ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

²⁷⁷ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

²⁷⁸ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

²⁷⁹ S 248C(2).

²⁸⁰ S 248A (defining “indirect recording” as a sound recording or cinematograph film made from a communication of a live performance).

²⁸¹ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

²⁸² S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

	inclusion in the collection of a library of the educational institution ²⁸³
Condition of broadcast/communication/recording	film or copy ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁸⁴
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording or cinematograph film, other than an exempt recording”)

Provision	s 200AB(3)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a work or other subject matter
Entity exercising broadcast/communication/recording	made by or on behalf of a body administering an educational institution ²⁸⁵
Purpose of broadcast/communication/recording	made for the purpose of giving educational instruction ²⁸⁶
Condition of broadcast/communication/recording	not made partly for the purpose of the body obtaining a commercial advantage or profit ²⁸⁷ use does not fall within any other provision of the Act ²⁸⁸
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	use amounts to a special case ²⁸⁹ use does not conflict with a normal exploitation of the work or other subject-matter ²⁹⁰ use does not unreasonably prejudice the legitimate interests of the owner of the copyright ²⁹¹
Subject to Attribution	
Subject to Remuneration	not required (“is not infringed”)

²⁸³ S 248B.

²⁸⁴ S 248C(2).

²⁸⁵ S 200AB(3)(a).

²⁸⁶ S 200AB(3)(b).

²⁸⁷ S 200AB(3)(c). S 200AB(6A) (providing that merely charging a fee connected with the use which does not exceed the cost of the use to the charger of the fee will not disqualify).

²⁸⁸ S 200AB(6).

²⁸⁹ S 200AB(1)(a). S 200AB(7) (defining “special case”, “conflict with a normal exploitation” and “unreasonably prejudice the legitimate interest” as having the same meaning as Art. 13 of the TRIPS Agreement).

²⁹⁰ S 200AB(1)(c).

²⁹¹ S 200AB(1)(d).

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 116AN(4)
Scope of TPM/RMI exception	circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising exception	person (individual or body corporate) or employee is engaged in a course of study at an educational institution, or employed or trained, in the field of encryption technology ²⁹²
Purpose of exception	encryption research - for the sole purpose of identifying and analysing flaws and vulnerabilities of encryption technology ²⁹³
Condition of exception	circumvention relates to lawfully obtained copy of work/subject-matter ²⁹⁴ circumvention act will not infringe copyright in the work/subject-matter ²⁹⁵ person or employee has obtained permission from owner/exclusive licensee, or has made/will make good faith effort to obtain such permission ²⁹⁶

Provision	s 116AN(8)
Scope of TPM/RMI exception	circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising exception	educational institution
Purpose of exception	sole purpose of making an acquisition decision in relation to the work or other subject-matter ²⁹⁷
Condition of exception	work/subject-matter will not be otherwise available to the educational institution for making its acquisition decision if the circumvention is not done ²⁹⁸

²⁹² S 116AN(4)(c).

²⁹³ S 116AN(4)(b)(iii)

²⁹⁴ S 116AN(4)(b)(i).

²⁹⁵ S 116AN(4)(b)(ii).

²⁹⁶ S 116AN(4)(d).

²⁹⁷ S 116AN(8)(c).

²⁹⁸ S 116AN(8)(d).

Austria

1. Legislation Reviewed

Federal Law on Copyrights on Literary and Artistic Works and Related Rights (Copyright Act) (as last amended by Federal Law Gazette (BGBl) I No. 99/2015)

2. Private/Personal Use

Provision	s 42(1)
Scope of private/personal use	copies on paper or any similar medium
Type(s) of source work(s)	a work
Entity exercising private/personal use	anyone
Purpose of private/personal use	for one's own use
Condition of private/personal use	
Frequency/copies and limits	a single copy
Preclusions (not part of private/personal use)	where reproduction is made for purpose of making available the work to the public by means of the copy or if an obviously unlawfully-produced model or a model has been unlawfully made available to the public is used before ²⁹⁹
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³⁰⁰

Provision	s 42(2)
Scope of private/personal use	copies on media other than paper or its equivalent
Type(s) of source work(s)	a work, (a performance, ³⁰¹ photograph, ³⁰² phonogram, ³⁰³ broadcast ³⁰⁴)
Entity exercising private/personal use	anyone
Purpose of private/personal use	for one's own use for purposes of research
Condition of private/personal use	to the extent justified for pursuing non-commercial use
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	where reproduction is made for purpose of making available the work to the public by means of the copy or if an obviously unlawfully-produced

²⁹⁹ s 42(5).

³⁰⁰ s 42b.

³⁰¹ s 71(1).

³⁰² s 74(7)

³⁰³ s 76(4)

³⁰⁴ s 76a(3).

	model or a model has been unlawfully made available to the public is used before ³⁰⁵
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³⁰⁶

Provision	s 42(4)
Scope of private/personal use	copy on media other than paper or its equivalent
Type(s) of source work(s)	a work, (photograph, ³⁰⁷)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	private use
Condition of private/personal use	copies do not serve commercial purposes either directly or indirectly
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	but not where reproduction is made for purpose of making available the work to the public by means of the copy or if an obviously unlawfully-produced model or a model has been unlawfully made available to the public is used before ³⁰⁸
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³⁰⁹

Provision	s 42a(1)
Scope of private/personal use	copy
Type(s) of source work(s)	a work, (a performance, ³¹⁰ photograph, ³¹¹ phonogram, ³¹² broadcast ³¹³)
Entity exercising private/personal use	
Purpose of private/personal use	copy for own use of another person
Condition of private/personal use	no payment is received or against payment for reprographic reproduction (or similar procedure), manual transcription for work of literature or

³⁰⁵ s 42(5).

³⁰⁶ s 42b.

³⁰⁷ s 74(7)

³⁰⁸ s 42(5).

³⁰⁹ s 42b.

³¹⁰ s 71(1).

³¹¹ s 74(7)

³¹² s 76(4)

³¹³ s 76a(3).

	music
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³¹⁴

Provision	s 71(1)
Scope of private/personal use	fix on a videogram or phonogram, and make single copies thereof
Type(s) of source work(s)	a performance that has been broadcast or made available to the public, and the communication made by means of a videogram or phonogram of a performance
Entity exercising private/personal use	a natural person
Purpose of private/personal use	made for private use
Condition of private/personal use	neither for direct nor for indirect commercial purposes to the extent justified for pursuing non-commercial use
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³¹⁵

3. Quotations

Provision	s 42f
Scope of quotation	reproduce, distribute, broadcast, make available to the public and use for public speeches, performances and presentations
Type(s) of source work(s)	a published work, (a photograph ³¹⁶)
Entity exercising quotation	
Purpose of quotation	purpose of quotation

³¹⁴ s 42b.

³¹⁵ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³¹⁶ s 74(7)

Condition of quotation	such use in its extent is justified by the particular purpose, in particular: - inclusion in a scientific work as a principal work: individually “released works” ³¹⁷ , including scientific or instructional works that consist of visual presentations and artistic works for explaining contents - scientific or instructional presentation as a principal work: published artistic works in context for explaining contents and necessary copies are made - quotations in an independent new work: individual passages from a published work of language - quotations in a literary work: individual passages from a published musical work - quotations in an independent new work: individual passages from a released work
Preclusions (not part of quotation)	
Subject to Attribution	source, author ³¹⁸
Subject to Remuneration	not required (“it shall be permissible”)

4. Research/Educational Reproduction

Provision	s 42(6)
Scope of research/educational reproduction	make copies and distribute
Type(s) of source work(s)	works, including graphic recordings of musical works (excluding works that are, by their nature or designation, for school use or instructional use), (a performance, ³¹⁹ photograph, ³²⁰ phonogram, ³²¹ broadcast ³²²)
Entity exercising reproduction	schools, universities and other educational institutions
Purpose of educational reproduction	purposes of instruction or teaching (reproduction for one’s own school use)
Condition of reproduction	on media other than paper or its equivalent: only for non-commercial purposes
Frequency/copies and limits	to the extent justified copies in the number necessary for a particular school class or course for entire books, periodicals or graphical recordings of musical works or copies thereof, or

³¹⁷ s 42f(2) (including a “released work” as a work that has been made available to the public with the consent of the author in a way that it is accessible to the general public).

³¹⁸ s 57(2), (3a) nos. 2 and 3, (4).

³¹⁹ s 71(1).

³²⁰ s 74(7)

³²¹ s 76(4)

³²² s 76a(3).

	realization of architectural work according to a plan, draft or reconstruction: consent of right owner is required, unless reproduction is by manual transcription or work is non-released or out-of-print work ³²³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“may ... make copies”)

Provision	s 42g
Scope of research/educational reproduction	reproduce and make available to the public
Type(s) of source work(s)	published works, excluding works that for school use or instructional use by their nature or designation, (film works if at least 2 years have passed since first presentation inland or in German or a language of a recognized ethnic group), ³²⁴ (performances, ³²⁵ photographs, ³²⁶ phonograms, ³²⁷ broadcasts ³²⁸)
Entity exercising reproduction	schools, universities and other educational institutions
Purpose of educational reproduction	purposes of instruction or teaching,
Condition of reproduction	for illustration for instruction for a precisely confined circle of participants of the instruction or teaching
Frequency/copies and limits	to the extent necessary for the respective purpose and to the extent justified to pursue non-commercial purposes
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable through CMO to author

Provision	s 71(1)
Scope of research/educational reproduction	fix on a videogram or phonogram, and make copies thereof
Type(s) of source work(s)	a performance that has been broadcast or made available to the public, and the communication made by means of a videogram or phonogram of a performance

³²³ s 42(8) (providing that in such cases the reproduction pursuant to s 42(7) is permissible).

³²⁴ s 42g(2).

³²⁵ s 71(6) (applying s 42g mutatis mutandis). [sic]

³²⁶ s 74(7).

³²⁷ s 76(6).

³²⁸ s 76a(5).

Entity exercising reproduction	(schools, universities and other educational institutions) ³²⁹ [sic]
Purpose of educational reproduction	(purposes of instruction or teaching) ³³⁰ [sic]
Condition of reproduction	neither for direct nor for indirect commercial purposes
Frequency/copies and limits	in a single copy ³³¹ to the extent justified for pursuing non-commercial use ³³²
Preclusions (not part of research/educational reproduction)	excluding reproduction made for purpose of making available the work to the public by means of the copy or if an obviously unlawfully-produced model or a model has been unlawfully made available to the public is used before ³³³
Subject to Attribution	
Subject to Remuneration	appropriate remuneration (leerkassettenvergütung)/reprographic/operator remuneration to be paid by first seller/importer of empty media or seller/importer/operator of reprographic (or similar) equipment to CMOs to be distributed to copyright holder ³³⁴

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 45(1).1
Scope of anthologies/compilations limitation/exception	in a collection that contains works of several authors, reproduce, distribute and make available to the public
Type(s) of source work(s)	individual works of language or works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is destined, according to its nature and designation, for school, church or instructional use
Condition of anthologies/compilations limitation/exception	non-commercial purposes
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³³⁵
Subject to Remuneration	equitable remuneration payable through CMO to

³²⁹ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³⁰ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³¹ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³² s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³³ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³⁴ s 71(1) (applying s 42(2), (3), (5)-(7), ss 42a, 42b(1), (3)-(9) mutatis mutandis).

³³⁵ ss 21(1), 57(2) para. 1, 2, 3, (4).

	author ³³⁶
Provision	ss 45(1).1, 59c(1), (2)
Scope of anthologies/compilations limitation/exception	in a collection that contains works of several authors, reproduce, distribute and make available to the public
Type(s) of source work(s)	individual works of language or works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is destined, according to its nature and designation, for school, church or instructional use, for commercial purposes, (including examination questions which relate to the discussion of the examinee about the work in schools, universities or other educational institutions) ³³⁷
Condition of anthologies/compilations limitation/exception	entity has acquired necessary rights from CMO ³³⁸
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³³⁹
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁴⁰

Provision	s 45(1).2
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in a work,
Type(s) of source work(s)	individual works of language or works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	work is destined, according to its nature and designation, for school use, only for purpose of explaining the contents
Condition of anthologies/compilations limitation/exception	non-commercial purposes
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	

³³⁶ s 45(3).

³³⁷ s 59c(2).

³³⁸ s 59c(1).

³³⁹ ss 21(1). 57(2) para. 1, 2, 3, (4).

³⁴⁰ s 45(3).

Subject to Attribution	source, title, author's designation ³⁴¹
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁴²

Provision	ss 45(1).2, 59c(1), (2)
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in a work
Type(s) of source work(s)	individual works of language or works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	work is destined, according to its nature and designation, for school use, only for purpose of explaining the contents, for commercial purposes, (including examination questions which relate to the discussion of the examinee about the work in schools, universities or other educational institutions) ³⁴³
Condition of anthologies/compilations limitation/exception	entity has acquired necessary rights from CMO ³⁴⁴
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³⁴⁵
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁴⁶

Provision	s 51(1).1
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in the form of notations, in a collection
Type(s) of source work(s)	individual musical works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is destined, according to its nature and designation, for school use
Condition of anthologies/compilations limitation/exception	non-commercial purposes collection destined for singing instructions that contains works of several authors
Frequency/copies and limits	

³⁴¹ ss 21(1). 57(2) para. 1, 2, 3, (4).

³⁴² s 45(3).

³⁴³ s 59c(2).

³⁴⁴ s 59c(1).

³⁴⁵ ss 21(1). 57(2) para. 1, 2, 3, (4).

³⁴⁶ s 45(3).

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³⁴⁷
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁴⁸

Provision	ss 51(1).1, 59c(1), (2)
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in the form of notations, in a collection
Type(s) of source work(s)	individual musical works subsequent to their release
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is destined, according to its nature and designation, for school use, for commercial purposes, (including examination questions which relate to the discussion of the examinee about the work in schools, universities or other educational institutions) ³⁴⁹
Condition of anthologies/compilations limitation/exception	collection destined for singing instructions that contains works of several authors entity has acquired necessary rights from CMO ³⁵⁰
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³⁵¹
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁵²

Provision	s 54(1).3
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in a work of language
Type(s) of source work(s)	individual artistic works subsequent to their release, (photographs ³⁵³)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	work destined, according to its nature and designation, for school use or instructional use, only for the purpose of explaining the contents or

³⁴⁷ ss 21(1). 57(2) para. 1, 2, (4).

³⁴⁸ s 51(2).

³⁴⁹ s 59c(2).

³⁵⁰ s 59c(1).

³⁵¹ ss 21(1). 57(2) para. 1, 2, (4).

³⁵² s 51(2).

³⁵³ s 74(7).

	in such a school book for purposes of art education for the youth
Condition of anthologies/compilations limitation/exception	work for non-commercial purposes
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³⁵⁴
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁵⁵

Provision	ss 54(1).3, 59c(1), (2)
Scope of anthologies/compilations limitation/exception	reproduce, distribute and make available to the public, in a work of language
Type(s) of source work(s)	individual artistic works subsequent to their release, (photographs ³⁵⁶)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	work destined, according to its nature and designation, for school use or instructional use, only for the purpose of explaining the contents or in such a school book for purposes of art education for the youth, (including examination questions which relate to the discussion of the examinee about the work in schools, universities or other educational institutions) ³⁵⁷
Condition of anthologies/compilations limitation/exception	entity has acquired necessary rights from CMO ³⁵⁸
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author's designation ³⁵⁹
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁶⁰

6. School Performances

Provision	s 50(1)
Scope of school performance	public recital
Type(s) of source work(s)	a released literary work

³⁵⁴ ss 21(1). 57(2) para. 1, 2, (4).

³⁵⁵ s 54(2).

³⁵⁶ s 74(7).

³⁵⁷ s 59c(2).

³⁵⁸ s 59c(1).

³⁵⁹ ss 21(1). 57(2) para. 1, 2, (4).

³⁶⁰ s 54(2).

Entity exercising school performance	
Purpose of school performance	for giving or receiving educational instruction, not being instruction given "for profit" ³⁶¹
Condition of school performance	audience does not pay any entrance fee or any other fee recital does not serve any pecuniary reward or if its earning is exclusively destined for charitable purposes the performers do not receive a remuneration ³⁶²
Preclusions (not part of school performance)	the recital was done by means of a phonogram that had been made or distributed while infringing the exclusive rights to reproduce or distribute the literary work fixed in the phonogram ³⁶³
Subject to Attribution	
Subject to Remuneration	not required ("shall be permissible")

Provision	s 53(1).3
Scope of school performance	public performance
Type(s) of source work(s)	a released musical work
Entity exercising school performance	
Purpose of school performance	for giving or receiving educational instruction, not being instruction given "for profit" ³⁶⁴
Condition of school performance	audience does not pay any entrance fee or any other fee performance does not serve any pecuniary reward or if its earning is exclusively destined for charitable purposes the performers do not receive a remuneration ³⁶⁵ the performance was not done by means of a phonogram that had been made or distributed while infringing the exclusive rights to reproduce

³⁶¹ S 28(2) ("For the purposes of this section, educational instruction given by a teacher at a place of education that is not conducted for profit shall not be taken to be given for profit by reason only that the teacher receives remuneration for giving the instruction.")

³⁶² S 50(2). The learned reviewer for this provision has opined that teachers who are paid for teaching may be considered to be receiving a pecuniary award, though not necessarily for the performance, and thus be precluded from relying on this provision. On the other hand, by analogy and consistently with s 56c (*infra*), the provision may be construed to enable school performances, particularly by teachers.

³⁶³ S 50(2).

³⁶⁴ S 28(2) ("For the purposes of this section, educational instruction given by a teacher at a place of education that is not conducted for profit shall not be taken to be given for profit by reason only that the teacher receives remuneration for giving the instruction.")

³⁶⁵ S 53(2). The learned reviewer for this provision has opined that teachers who are paid for teaching may be considered to be receiving a pecuniary award, though not necessarily for the performance, and thus be precluded from relying on this provision. On the other hand, by analogy and consistently with s 56c (*infra*), the provision may be construed to enable school performances, particularly by teachers.

	or distribute the musical work fixed in the phonogram ³⁶⁶
Preclusions (not part of school performance)	scenic performances of an opera or another musical work connected to a literary work or for the performance of a musical work in connection with a film work or another cinematographic product ³⁶⁷
Subject to Attribution	
Subject to Remuneration	not required ("shall be permissible")

7. Educational Broadcasts/Communications/Recordings

Provision	s 45(2)
Scope of broadcast/communication/recording	broadcast
Type(s) of source work(s)	works of language subsequent to their release
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for school use approved by the authority for instruction and designated as school broadcasts
Condition of broadcast/communication/recording	non-commercial purposes
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable through CMO to author ³⁶⁸

Provision	s 56c
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	film works and the musical works connected to (excluding film works destined, according to their nature or designation, for school use or instructional use, or source videogram/phonogram infringes an exclusive right to reproduce or distribute the right in the work therein), ³⁶⁹ (photographs ³⁷⁰)
Entity exercising broadcast/communication/recording	schools and universities
Purpose of broadcast/communication/recording	purposes of instruction or teaching
Condition of	

³⁶⁶ S 53(2).

³⁶⁷ S 53(3).

³⁶⁸ s 45(3).

³⁶⁹ s 56c(3).

³⁷⁰ s 74(7).

broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration through CMO to author ³⁷¹

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	NA
Scope of TPM/RMI exception	rightholder who used effective technological measures in respect of his work has voluntary agreements to ensure for the “beneficiaries” the benefit of the exceptions ³⁷²
Type(s) of source work(s)	
Beneficiary exercising exception	
Purpose of exception	
Condition of exception	

³⁷¹ s 56c(2).

³⁷² Walter, “Austria”, in Walter/von Lewinski, European Copyright Law, Oxford (OUP) 2010, at 1102.

Azerbaijan

1. Legislation Reviewed

Law of the Republic of Azerbaijan on Copyright and Related Rights (as amended up to Law No. 636-IVQD of April 30, 2013)

2. Private/Personal Use

Provision	Art. 17
Scope of private/personal use	reproduce
Type(s) of source work(s)	works previously published lawfully “performances, phonograms and programs of broadcasting organizations and fixations” ³⁷³
Entity exercising private/personal use	
Purpose of private/personal use	for personal purposes
Condition of private/personal use	(works) non-profit basis (performances, phonograms and programs) limitation does not conflict with a normal exploitation of performances, phonograms, programs and their fixations, as well as scientific, literary and artistic works included therein, and do not unjustifiably limit the legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ³⁷⁴
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	works of architecture, databases, computer programs, reprographic reproduction of whole books, sheet music, original works of fine art, “work without the consent which communicated to the public interactively [sic]”, “any reproduction of work prejudicing normal use or unreasonably limiting author’s interests communicated to the public interactively [sic]” ³⁷⁵
Subject to Attribution	not required
Subject to Remuneration	remuneration by manufacturer/importer of “equipment” ³⁷⁶ used for reproduction and “material media”, ³⁷⁷ collection of remuneration carried out by rights management organization, ³⁷⁸ to be distributed to authors, performers and audiovisual work/phonogram producers for audiovisual works/phonograms

³⁷³ Art. 36.2(4) (importing the Art. 36 limitations of the rights of performers, phonogram producers and broadcasting organizations into limitations of economic rights of authors of scientific, literary and artistic works)

³⁷⁴ Art. 36.1.

³⁷⁵ Art. 17(2).

³⁷⁶ Art. 17(5) (providing that exported, professional equipment or material media not designed for use for recording in home conditions are exempt from remuneration).

³⁷⁷ Art. 17(3).

³⁷⁸ Art. 17(4).

3. Quotations

Provision	Art. 19(1)
Scope of quotation	use as quotations
Type(s) of source work(s)	short excerpts in original or in translation from lawfully published works, press reviews from newspapers and magazines
Entity exercising quotation	
Purpose of quotation	for scientific, research, polemical, critical and informational purposes
Condition of quotation	“to the extent [sic] justified by the intended purpose”
Preclusions (not part of quotation)	
Subject to Attribution	mandatory indication of the author's name and of the source of borrowing
Subject to Remuneration	not required (“without paying the author's remuneration”)

Provision	Art. 36.2(1)
Scope of quotation	use, as quotations
Type(s) of source work(s)	short excerpts from performances, phonograms and programs of broadcasting organizations ³⁷⁹
Entity exercising quotation	
Purpose of quotation	for scientific, research, polemical, critical and informational purposes
Condition of quotation	to the extent justified by intended purpose
Preclusions (not part of quotation)	limitations do not conflict with a normal exploitation of performances, phonograms, programs of broadcasting organizations and their fixations, as well as scientific, literary and artistic works included therein and do not unjustifiably limit legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ³⁸⁰
Subject to Attribution	
Subject to Remuneration	not required (“without paying remuneration”)

4. Research/Educational Reproduction

Provision	Art. 18.1(c)
Scope of research/educational reproduction	reprographic reproduction ³⁸¹

³⁷⁹ Art. 36.2(1).

³⁸⁰ Art. 36.1.

³⁸¹ Art. 18.1(c) *may* be read with Art. 36.2(4) (which has the effect of importing the limitations in Section II into this section of the law), to enable the reprographic reproduction of performances, phonograms and programs of broadcasting organizations and fixations thereof, without authorization, and without paying remuneration, subject to the three-step test set out in Art. 36.1.

Type(s) of source work(s)	lawfully published separate articles and other small works or short excerpts from written works
Entity exercising reproduction	
Purpose of educational reproduction	for training at educational institutions
Condition of reproduction	without commercial purpose
Frequency/copies and limits	to extent justified by intended purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“without payment of remuneration”)

Provision	Art. 19(2)
Scope of research/educational reproduction	use
Type(s) of source work(s)	short excerpts from lawfully published works for publications, radio and broadcastings, sound and video recordings
Entity exercising reproduction	
Purpose of educational reproduction	of an educational nature
Condition of reproduction	
Frequency/copies and limits	to the extent justified by the intended purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“without paying the author’s remuneration”)

Provision	Art. 36.2(2)
Scope of research/educational reproduction	use in illustration character
Type(s) of source work(s)	short excerpts of performances, phonograms and programs of broadcasting organizations and fixations ³⁸²
Entity exercising reproduction	
Purpose of educational reproduction	for training or scientific-research purposes
Condition of reproduction	
Frequency/copies and limits	to the extent justified by intended purpose
Preclusions (not part of research/educational reproduction)	limitations do not conflict with a normal exploitation of performances, phonograms, programs of broadcasting organizations and their fixations, as well as scientific, literary and artistic works included therein and do not unjustifiably limit legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ³⁸³
Subject to Attribution	
Subject to Remuneration	not required (“without paying remuneration”)

³⁸² Art. 36.2(2).

³⁸³ Art. 36.1.

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Bahamas

1. Legislation Reviewed

Copyright Act, 1998 (CH.323) (as amended by the Copyright (Amendment) Act, Act No. 2 of 2004)

2. Private/Personal Use

Provision	ss 58, 60
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a copyright work, including such use by reproduction in copies or phonorecords
Entity exercising private/personal use	
Purpose of private/personal use	for purposes such as research, private study, scholarship or teaching (instruction at an “educational establishment” ³⁸⁴)
Condition of private/personal use	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and (d) the effect of the act upon the potential market for, or the commercial value of, the work
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

3. Quotations

Provision	ss 59(1)(a), 60
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism, comment, parody or review
Condition of quotation	to determine if act done in relation to a work

³⁸⁴ S 2(1) (defining an “educational establishment” as any school, college or other educational body designated by the Minister by order).

	constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ³⁸⁵
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author, unless anonymous or author agreed that no acknowledgement be made, or not possible to ascertain identity for unpublished work ³⁸⁶
Subject to Remuneration	not required (“does not infringe copyright”)

4. Research/Educational Reproduction

Provision	s 58
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a copyright work, including such use by reproduction in copies or phonorecords
Entity exercising reproduction	
Purpose of educational reproduction	for purposes such as research, private study, scholarship or teaching (instruction at an “educational establishment” ³⁸⁷)
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

Provision	s 62(1)
Scope of research/educational reproduction	reproduction (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical, choreographic or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	reproduction copies made cannot be dealt with

³⁸⁵ S 60.

³⁸⁶ S 57 (defining “sufficient acknowledgment”).

³⁸⁷ S 2(1) (defining an “educational establishment” as any school, college or other educational body designated by the Minister by order).

	(i.e. sold, let for hire or offered or exposed for sale or hire) ³⁸⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 62(2)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	sound recording, motion pictures, audiovisual works
Entity exercising reproduction	a person giving the instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction, in the making of motion pictures or motion picture sound-tracks
Condition of reproduction	copy reproduced is retained by department of educational establishment in which instruction is being given educational establishment to have accredited degree programme in motion pictures
Frequency/copies and limits	in a single copy or phonorecord reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ³⁸⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 62(4)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ³⁹⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

³⁸⁸ S 66.

³⁸⁹ S 66.

³⁹⁰ S 66.

Provision	s 65
Scope of research/educational reproduction	reproduction of copies ³⁹¹
Type(s) of source work(s)	published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Condition of reproduction	
Frequency/copies and limits	not more than 5% in any quarter of the year reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ³⁹²
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“without infringing any copyright”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 63
Scope of anthologies/compilations limitation/exception	inclusion in collection
Type(s) of source work(s)	a short passage from a published literary, musical or dramatic work published in copies
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advertised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of public domain works
Frequency/copies and limits	no more than 2 extracts from works by same author ³⁹³ contained in collections by same publisher within 5 year period ³⁹⁴
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	inclusion accompanied by “sufficient acknowledgment”

³⁹¹ S 2(1) (defining “reprographic process” as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

³⁹² S 66.

³⁹³ S 63(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

³⁹⁴ S 44(2).

Subject to Remuneration	not required (“does not infringe copyright”)
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6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 64, 108
Scope of broadcast/communication/recording	reproduction [fixation] in single copy or phonorecord
Type(s) of source work(s)	transmission of a performance or display or a live performance
Entity exercising broadcast/communication/recording	(performance or display) by educational establishment (live performance) by or on behalf of educational establishment
Purpose of broadcast/communication/recording	(performance or display) for educational purposes of educational establishment
Condition of broadcast/communication/recording	performance or display is directly related to the course content
Frequency/limits of broadcast/communication/recording	reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ³⁹⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“without ... infringing copyright/any of the rights”)

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

³⁹⁵ Ss 66, 108(2).

Bahrain

1. Legislation Reviewed

Law No. 22 of the Year 2006 relating to the Protection of Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	Art. 19
Scope of private/personal use	copy
Type(s) of source work(s)	a legally published original work, or of a legal copy thereof
Entity exercising private/personal use	
Purpose of private/personal use	for purely personal use
Condition of private/personal use	
Frequency/copies and limits	a single copy
Preclusions (not part of private/personal use)	reproduction of architectural works embodied in buildings or any other construction, photocopied reproduction of written work, in whole or part, photocopied reproduction of a work of sheet music, in whole or part, reproduction of a database in digital form, in whole or part, reproduction of computer program (other than permitted by Art. 26) ³⁹⁶
Subject to Attribution	
Subject to Remuneration	not required ("without paying compensation")

3. Quotations

Provision	Art. 21(a)
Scope of quotation	reproducing a short segment
Type(s) of source work(s)	a legally published work
Entity exercising quotation	
Purpose of quotation	to cite it in another work
Condition of quotation	citation is used for a legal purpose citation is in the degree necessary to achieve that purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if it appears in source)
Subject to Remuneration	not required ("without paying compensation")

Provision	Art. 21(b)
Scope of quotation	using in publications, radio or television programmes or audiovisual recordings
Type(s) of source work(s)	a legally published literary or artistic work
Entity exercising quotation	non-profit educational institutions

³⁹⁶ These are for backing up a copy of the software or for interoperability purposes. Art. 26.

Purpose of quotation	as a means of clarification for purposes of education
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if it appears in source)
Subject to Remuneration	not required ("without paying compensation")

4. Research/Educational Reproduction

Provision	Art. 21(c)
Scope of research/educational reproduction	photographic reproduction
Type(s) of source work(s)	an article, brief extracts of a work, or a short work, all of which have been legally published
Entity exercising reproduction	within nonprofit educational institutions
Purpose of educational reproduction	for educational purposes
Condition of reproduction	in the degree necessary to achieve those purposes
Frequency/copies and limits	only a single copy, or separate occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if it appears in source)
Subject to Remuneration	not required ("without paying compensation")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 27
Scope of school performance	public performance
Type(s) of source work(s)	a dramatic, musical or dramatic-musical work, a work of dance or a work of mime, or any other work created to be so performed
Entity exercising school performance	
Purpose of school performance	face-to-face educational activities
Condition of school performance	within recognised nonprofit educational institutions in classrooms or other similar places allocated for teaching no direct or indirect financial recompense
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without paying compensation")

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Bangladesh

1. Legislation Reviewed

Copyright Act, 2000 (Act No. 28 of 2000, as amended up to 2005)

2. Private/Personal Use

Provision	s 72(1)(1)(i)
Scope of private/personal use	fair use
Type(s) of source work(s)	literary, dramatic, musical or artistic work, translation or adaptation of work ³⁹⁷
Entity exercising private/personal use	
Purpose of private/personal use	private study or private use including research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 36(a)
Scope of private/personal use	making of any fixation, or such other acts with any necessary adaptations and modifications, which do not constitute infringement of copyright, ³⁹⁸
Type(s) of source work(s)	broadcast or performance
Entity exercising private/personal use	person making such fixation
Purpose of private/personal use	private use of entity
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("no ... right shall be deemed to be infringed")

3. Quotations

Provision	s 72(1)(1)(ii)
Scope of quotation	fair use

³⁹⁷ S 72(2).

³⁹⁸ S 36(c).

Type(s) of source work(s)	literary, dramatic, musical or artistic work, translation or adaptation of work ³⁹⁹
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work or any other work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“shall not constitute infringement of copyright”)

4. Research/Educational Reproduction

Provision	s 36(a)
Scope of research/educational reproduction	making of any fixation, or such other acts with any necessary adaptations and modifications, which do not constitute infringement of copyright, ⁴⁰⁰
Type(s) of source work(s)	broadcast or performance
Entity exercising reproduction	
Purpose of educational reproduction	solely for purposes of bona-fide teaching or research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“no ... right shall be deemed to be infringed”)

Provision	s 72(1)(8)
Scope of research/educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a teacher or a pupil
Purpose of educational reproduction	in the course and for the sole purpose of instruction; or as part of the questions to be answered in an examination; or in answer to such question
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“shall not constitute infringement of copyright”)

5. Educational Publications/Anthologies/Compilations/Composite Works

³⁹⁹ S 72(2).

⁴⁰⁰ S 36(c).

Provision	s 72(1)(7)
Scope of anthologies/compilations limitation/exception	publication in a collection
Type(s) of source work(s)	short passages from published literary or dramatic works in which copyright subsists
Entity exercising anthologies/compilations limitation/exception	publisher
Purpose of anthologies/compilations limitation/exception	bonafide intended for the use of educational institutions
Condition of anthologies/compilations limitation/exception	collection mainly composed of noncopyright matter collection to be described and advertised as being for use in educational establishments source works not themselves published for the use of educational institutions
Frequency/copies and limits	no more than 2 extracts from works by same author ⁴⁰¹ are published by same publisher within 5 year period ⁴⁰²
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required (“shall not constitute infringement of copyright”)

Provision	s 72(1)(9)
Scope of anthologies/compilations limitation/exception	publication
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising anthologies/compilations limitation/exception	by the staff and students of the institution
Purpose of anthologies/compilations limitation/exception	in the course of the activities of an educational institution
Condition of anthologies/compilations limitation/exception	audience [sic] is limited to such staff and students, the parents and guardians of the students and persons directly connected with the activities of the institution
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required (“shall not constitute infringement of copyright”)

⁴⁰¹ S 72(1)(7) explanation (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁴⁰² S 72(1)(7) proviso.

6. School Performances

Provision	s 72(1)(9)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work, or of a cinematograph film or a sound recording
Entity exercising school performance	by the staff and students of the institution
Purpose of school performance	in the course of the activities of an educational institution
Condition of school performance	audience is limited to such staff and students, the parents and guardians of the students and persons directly connected with the activities of the institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 72(1)(12)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	an amateur club or society
Purpose of school performance	
Condition of school performance	performance is given to a non-paying audience or for the benefit of a religious, charitable or educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 72(1)(11)
Scope of broadcast/communication/recording	causing to be heard in public by utilizing it at any premises (except a hotel or similar commercial establishment) where persons reside
Type(s) of source work(s)	sound recording
Entity exercising broadcast/communication/recording	a club, society or other organization which is not established or conducted for profit
Purpose of broadcast/communication/recording	as part of the activities of entity
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of	

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“shall not constitute infringement of copyright”)

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 52(1)
Nature of compulsory licence for translation for educational purposes	non-exclusive, ⁴⁰³ compulsory licence, for producing and publishing a translation or adaptation into any language in general use in Bangladesh
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a literary or dramatic work
Licence applicant/entity	any person
Purpose of licence	
Condition of licence	<p>licence application may be made: 5 years from first publication⁴⁰⁴</p> <p>work has not been previously translated or adapted into the language in the licence application and published by the owner or authorized person within 5 years of first publication, or if translation has been so published, it has been out of print⁴⁰⁵</p> <p>licence applicant has requested and been denied authorisation by owner of copyright, or was unable to find owner after due diligence, despite sending request to publisher, or owner has demanded more unreasonable royalties than normal selling prices prevailing in Bangladesh by imposing unreasonable conditions for publication of translation or adaptation⁴⁰⁶</p> <p>licence applicant is competent to produce and publish a correct translation or adaptation and possesses means to pay copyright owner the royalties due⁴⁰⁷</p> <p>opportunity to be heard is given, to owner of copyright, where practicable⁴⁰⁸</p> <p>author has not withdrawn from circulation copies of the work⁴⁰⁹</p>

⁴⁰³ S 52(5).

⁴⁰⁴ S 52(1).

⁴⁰⁵ S 52(1) proviso 2(i).

⁴⁰⁶ S 52(1) proviso 3(i), (ii).

⁴⁰⁷ S 52(6)(c)(v)..

⁴⁰⁸ S 52(6)(c)(vii).

Compulsory licence fee(s)	in respect of copies of translation sold to public, beneficiary of compulsory licence to pay royalties to owner of copyright, calculated at such rate as Board may determine in prescribed manner ⁴¹⁰
Price of publication	applicant to state proposed retail price of copy ⁴¹¹
Distribution conditions	
Grantor of compulsory licence	Registrar ⁴¹²

Provision	s 52(2)
Nature of compulsory licence for translation for educational purposes	non-exclusive, ⁴¹³ compulsory licence, for producing and publishing a translation or adaptation into any language in general use in Bangladesh, in printed or analogous forms of reproduction
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a literary or dramatic work, other than a Bangladeshi work
Licence applicant/entity	any person
Purpose of licence	purpose of teaching, scholarship or research ⁴¹⁴
Condition of licence	<p>licence application may be made:</p> <ul style="list-style-type: none"> * 3 years from first publication * 1 year from first publication (if translation or adaptation is in a language not in general use in any developed country) <p>(3 years from first publication application) work has not been previously translated into the language in the licence application and published by the owner or authorized person within 3 years of first publication, or if translation has been so published, it has been out of print⁴¹⁵</p> <p>(1 year from first publication application) work has not been previously translated into the language in the licence application and published by the owner or authorized person within 1 years of first publication, or if translation has been so published, it has been out of print⁴¹⁶</p> <p>licence applicant has requested and been denied</p>

⁴⁰⁹ S 52(6)(c)(vi).

⁴¹⁰ S 52(6)(a).

⁴¹¹ S 52(3).

⁴¹² S 52(5).

⁴¹³ S 52(5).

⁴¹⁴ S 52(8) Explanation (a) (research does not “not include the purpose of industrial research, or purpose of research by body corporate (except body corporate owned or controlled by the Government) or other societies or body of persons for commercial purposes”). S 52(8) Explanation (b) (“purpose of teaching scholarship, research or scholarship” includes “purposes of instructional activity at all levels in educational institutions, including schools, colleges, universities and tutorial institutions and purposes of all other types of organized educational activities”).

⁴¹⁵ S 52(6) proviso 2(ii).

⁴¹⁶ S 52(6) proviso 2(iii).

	<p>authorisation by owner of copyright, or was unable to find owner after due diligence, despite sending request to publisher, or owner has demanded more unreasonable royalties than normal selling prices prevailing in Bangladesh by imposing unreasonable conditions for publication of translation or adaptation⁴¹⁷</p> <p>a further period of 6/9 months has lapsed from date licence applicant has made/sent request⁴¹⁸</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner⁴¹⁹</p> <p>if work is composed mainly of illustrations, s 53 conditions are to be fulfilled⁴²⁰</p> <p>licence applicant is competent to produce and publish a correct translation or adaptation and possesses means to pay copyright owner the royalties due⁴²¹</p> <p>opportunity to be heard is given, to owner of copyright, where practicable⁴²²</p> <p>author has not withdrawn from circulation copies of the work⁴²³</p> <p>on all copies of the published translation are printed: the name of author and original title,⁴²⁴</p> <p>subject to licensee's sale of existing copies, licence terminated (3 months after service of prescribed notice on licensee) if owner has published or authorised the publishing of translated work in the same language and is substantially the same content, at a reasonably related price⁴²⁵</p>
Compulsory licence fee(s)	in respect of copies of translation sold to public, beneficiary of compulsory licence to pay royalties to owner of copyright, calculated at such rate as Board may determine in prescribed manner ⁴²⁶

⁴¹⁷ S 52(6) proviso 3(i), (ii).

⁴¹⁸ S 52(6)(c).

⁴¹⁹ S 52(6)(c).

⁴²⁰ S 52(c)(iv)(2).

⁴²¹ S 52(6)(c)(v).

⁴²² S 52(6)(c)(vii).

⁴²³ S 52(6)(c)(vi).

⁴²⁴ S 52(6)(c)(iv)(1).

⁴²⁵ S 54(1).

⁴²⁶ S 52(6)(a).

Price of publication	applicant to state proposed retail price of copy ⁴²⁷
Distribution conditions	copies of translated work may not be exported, except if translation is into a language other than English, French or Spanish, for Bangladesh citizens or association of such citizens, residing abroad, or commencement, who will use them only for purpose of teaching, scholarship or research and not for any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ⁴²⁸
Grantor of compulsory licence	Registrar ⁴²⁹

Provision	s 52(7)
Nature of compulsory licence for translation for educational purposes	non-exclusive, ⁴³⁰ compulsory licence for producing and publishing a translation or adaptation into any language in general use in Bangladesh, in printed or analogous forms of reproduction, ⁴³¹ or broadcasting such a translation ⁴³²
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a literary or dramatic work, other than a Bangladeshi work, ⁴³³ or any text incorporated in audio-visual fixations prepared and published solely for the purpose of systematic instructional activities ⁴³⁴
Licence applicant/entity	any broadcasting authority
Purpose of licence	purpose of teaching or for the dissemination of the results or specialized, technical or scientific research to the experts in any particular field ⁴³⁵
Condition of licence	translation or adaptation is made from a lawfully made or acquired copy ⁴³⁶ broadcast is made through medium of sound and visual recordings, ⁴³⁷ which has been lawfully and exclusively made for purpose of broadcasting in Bangladesh by applicant or any other broadcasting agency ⁴³⁸

⁴²⁷ S 52(3).

⁴²⁸ S 52(6)(b) proviso 1 and (i), (ii) and (iii).

⁴²⁹ S 52(5).

⁴³⁰ S 52(5).

⁴³¹ S 52(7)(a), referring to s 52(2).

⁴³² See also s 52(7)(d).

⁴³³ S 52(7)(a).

⁴³⁴ S 52(7)(b).

⁴³⁵ S 52(7)(b) proviso.

⁴³⁶ S 52(7)(b)(i).

⁴³⁷ S 52(7)(b)(ii).

⁴³⁸ S 52(7)(c).

	<p>the translation and broadcasting of such translation are not used for any commercial purposes⁴³⁹</p> <p>licence application may be made: * 3 years from first publication * 1 year from first publication (if translation or adaptation is in a language not in general use in any developed country)⁴⁴⁰</p> <p>(3 years from first publication application) work has not been previously translated into the language in the licence application and published by the owner or authorized person within 3 years of first publication, or if translation has been so published, it has been out of print⁴⁴¹</p> <p>(1 year from first publication application) work has not been previously translated into the language in the licence application and published by the owner or authorized person within 1 years of first publication, or if translation has been so published, it has been out of print⁴⁴²</p> <p>licence applicant has requested and been denied authorisation by owner of copyright, or was unable to find owner after due diligence, despite sending request to publisher, or owner has demanded more unreasonable royalties than normal selling prices prevailing in Bangladesh by imposing unreasonable conditions for publication of translation or adaptation⁴⁴³ (or broadcast)⁴⁴⁴</p> <p>a further period of 6/9 months has lapsed from date licence applicant has made/sent request⁴⁴⁵</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner⁴⁴⁶</p> <p>if work is composed mainly of illustrations, s 53 conditions are to be fulfilled⁴⁴⁷</p>
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⁴³⁹ Para. 5(1)(e), First Schedule.

⁴⁴⁰ S 52(8) (applying the provisions of s 52(3) – (5) mutatis mutandis, and s 52(5) in turn referred to in s 52(6)).

⁴⁴¹ S 52(6) proviso 2(ii).

⁴⁴² S 52(6) proviso 2(iii).

⁴⁴³ S 52(6) proviso 3(i), (ii).

⁴⁴⁴ S 52(8) (applying the provisions of s 52(3) – (5) mutatis mutandis, and s 52(5) in turn referred to in s 52(6)).

⁴⁴⁵ S 52(6)(c).

⁴⁴⁶ S 52(6)(c).

⁴⁴⁷ S 52(c)(iv)(2).

	<p>licence applicant is competent to produce and publish a correct translation or adaptation and possesses means to pay copyright owner the royalties due⁴⁴⁸</p> <p>opportunity to be heard is given, to owner of copyright, where practicable⁴⁴⁹</p> <p>author has not withdrawn from circulation copies of the work⁴⁵⁰</p> <p>on all copies of the published translation are printed: the name of author and original title,⁴⁵¹</p> <p>subject to licensee's sale of existing copies, licence terminated (3 months after service of prescribed notice on licensee) if owner has published or authorised the publishing of translated work in the same language and is substantially the same content, at a reasonably related price⁴⁵²</p>
Compulsory licence fee(s)	in respect of copies of translation sold to public (or broadcast) ⁴⁵³ , beneficiary of compulsory licence to pay royalties to owner of copyright, calculated at such rate as Board may determine in prescribed manner ⁴⁵⁴
Price of publication	applicant to state proposed retail price of copy ⁴⁵⁵
Distribution conditions	copies of translated work may not be exported, except if translation is into a language other than English, French or Spanish, for Bangladesh citizens or association of such citizens, residing abroad, or commencement, who will use them only for purpose of teaching, scholarship or research and not for any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ⁴⁵⁶
Grantor of compulsory licence	Registrar ⁴⁵⁷

Provision	s 53
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, ⁴⁵⁸ compulsory licence, for reproducing and publishing in printed or analogous forms of reproduction, or

⁴⁴⁸ S 52(6)(c)(v).

⁴⁴⁹ S 52(6)(c)(vii).

⁴⁵⁰ S 52(6)(c)(vi).

⁴⁵¹ S 52(6)(c)(iv)(1).

⁴⁵² S 54(1).

⁴⁵³ S 52(8) (applying the provisions of s 52(3) – (5) mutatis mutandis, and s 52(5) in turn referred to in s 52(6)).

⁴⁵⁴ S 52(6)(a).

⁴⁵⁵ S 52(3).

⁴⁵⁶ S 52(6)(b) proviso 1 and (i), (ii) and (iii).

⁴⁵⁷ S 52(5).

⁴⁵⁸ S 53(4).

	non-exclusive, ⁴⁵⁹ compulsory licence, for reproducing and publishing in printed or analogous forms of reproduction, or translation into a language in general use in Bangladesh (of text incorporated in audio-visual fixations prepared and published solely for purpose of systematic instructional activities) ⁴⁶⁰
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a work, or a translation or adaptation of a work published by owner of right of translation or authorised person and translation is not in a language in general use in Bangladesh, ⁴⁶¹ or any text incorporated in audio-visual fixations prepared and published solely for purpose of systematic instructional activities ⁴⁶²
Licence applicant/entity	any person ⁴⁶³
Purpose of licence	purposes of systematic instructional activities ⁴⁶⁴
Condition of licence	licence application may be made: * any work of, or relating to, novel, poetry, drama, music or art - 7 years from first publication, or * any work of, or relating to, natural science, physical science, mathematics or technology * any other work – 5 years from first publication copies of such work are not made available in Bangladesh, or such copies have not been put on sale in Bangladesh for a period of 6 months, to the general public, or in connection with systematic instructional activities at a reasonable price normally charged in Bangladesh for comparable works by owner of right of reproduction or authorized person ⁴⁶⁵ licence applicant has requested and been denied authorisation by owner of copyright, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre ⁴⁶⁶ where licence applicant was unable to find owner of copyright, request for authorization had been

⁴⁵⁹ S 53(4).⁴⁶⁰ S 53(7).⁴⁶¹ S 53(6).⁴⁶² S 53(7).⁴⁶³ S 53(1).⁴⁶⁴ S 53(1).⁴⁶⁵ S 53(1).⁴⁶⁶ S 53(5)(a).

	<p>sent not less than 3 months before licence application⁴⁶⁷</p> <p>a further period of 3/6 months has lapsed from date licence applicant has made/sent request⁴⁶⁸</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner⁴⁶⁹</p> <p>licence applicant is competent to reproduce and publish an accurate reproduction and possesses means to pay copyright owner the royalties due⁴⁷⁰</p> <p>licence applicant undertakes to reproduce and publish work at such price as may be fixed by Board being a price reasonably related to price normally charged in Bangladesh for works of same standard on same or similar subjects⁴⁷¹</p> <p>opportunity to be heard is given, to owner of copyright, where practicable⁴⁷²</p> <p>author has not withdrawn from circulation copies of the work⁴⁷³</p> <p>on all copies of the reproduction: notice that copy for sale and distribution only in Bangladesh,⁴⁷⁴ name of author and title of edition of work⁴⁷⁵</p> <p>subject to licensee's sale of existing copies, licence terminated (3 months after service of prescribed notice on licensee) if owner or any person so authorized has sold or distributed or copies of work or translation which is substantially the same content, at a reasonably related price⁴⁷⁶</p>
Compulsory licence fee(s)	in respect of copies of reproduction sold to public, licensee to pay royalties to owner of copyright, calculated at such rate as Board may determine in prescribed manner ⁴⁷⁷

⁴⁶⁷ S 53(5)(b).

⁴⁶⁸ S 53(5)(e), (f).

⁴⁶⁹ S 52(6)(c).

⁴⁷⁰ S 53(5)(c).

⁴⁷¹ S 53(5)(d).

⁴⁷² S 53(5)(i).

⁴⁷³ S 53(5)(h).

⁴⁷⁴ S 53(4)(c).

⁴⁷⁵ S 53(5)(g).

⁴⁷⁶ S 54(2).

⁴⁷⁷ S 53(4)(a).

Price of publication	applicant to state proposed retail price (price at which an edition of such work is sold or at a lower price) ⁴⁷⁸
Distribution conditions	copies of work may not be exported outside Bangladesh ⁴⁷⁹
Grantor of compulsory licence	Registrar ⁴⁸⁰

9. TPM/RMI Exceptions for Educational Purposes

⁴⁷⁸ S 53(1), (2).

⁴⁷⁹ S 53(4)(b).

⁴⁸⁰ S 53(4).

Barbados

1. Legislation Reviewed

Copyright Act, 1998 (Cap. 300)(as revised up to 2006)

2. Private/Personal Use

Provision	ss 51, 53
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or private study
Condition of private/personal use	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors that appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and portion of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁴⁸¹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

3. Quotations

Provision	ss 52(1)(a), 53
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or of performance of a work
Condition of quotation	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors that appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and portion of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and

⁴⁸¹ S 53.

	(d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁴⁸²
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author, unless anonymous or author agreed that no acknowledgement be made, or not possible to ascertain identity for unpublished work ⁴⁸³
Subject to Remuneration	not required (“does not infringe copyright”)

4. Research/Educational Reproduction

Provision	s 55(1)
Scope of research/educational reproduction	reproduction (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright ... is not infringed”)

Provision	s 55(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright ... is not infringed”)

Provision	s 58
Scope of research/educational reproduction	reprographic copies ⁴⁸⁴
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment

⁴⁸² S 53.

⁴⁸³ S 51 (defining “sufficient acknowledgment”).

⁴⁸⁴ S 2(1) (defining “reprographic process” as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

Purpose of educational reproduction	instruction
Condition of reproduction	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences any collective licence granted not to be more restrictive than this provision
Frequency/copies and limits	not more than 5% in any quarter of the year reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁴⁸⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 56
Scope of anthologies/compilations limitation/exception	inclusion in collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	no more than 2 extracts from works by same author ⁴⁸⁶ contained in collections by same publisher within 5 year period ⁴⁸⁷
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous or author agreed no acknowledgement) ⁴⁸⁸

⁴⁸⁵ S 60.

⁴⁸⁶ S 56(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁴⁸⁷ S 44(2).

⁴⁸⁸ S 50 (defining "sufficient acknowledgment").

Subject to Remuneration	not required (“does not infringe copyright”)
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6. School Performances

Provision	ss 78
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement of the copyright”)

7. Educational Broadcasts/Communications/Recordings

Provision	s 55(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright ... is not infringed”)

Provision	ss 58, 118 ⁴⁸⁹
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording

⁴⁸⁹ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 118 exempts from infringement the rights of performance and recording.

Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁴⁹⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without thereby infringing the copyright/any [] rights")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁴⁹⁰ S 59, s 117(2) read with s 118.

Belarus

1. Legislation Reviewed

Law of the Republic of Belarus No. 262-3 of May 17, 2011, on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 35
Scope of private/personal use	reproduce
Type(s) of source work(s)	lawfully published works and objects of related rights
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for personal purposes, for personal use, without pursuing of commercial objectives directly or indirectly
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and other structures, databases or their essential parts, entire books and sheet music by reprographic reproduction, computer programs, ⁴⁹¹ audio visual works, dramatic or dramatico-musical works, choreographic works, pantomines or other scenario works by video recording during public performance at a place open to the public or at a place where persons outside the circle of a family and its close social acquaintances are present
Subject to Attribution	
Subject to Remuneration	for reproduction of audiovisual works and phonograms, remuneration payable by manufacturers of equipment (audio and video players and other equipment) and recording media (films, cassettes, laser discs, compact discs and other such media) commonly used for reproduction of works for personal purposes, to CMO, to be distributed to authors and other holders of copyright, performers and phonogram producers ⁴⁹²

3. Quotations

Provision	Art. 32(2)
Scope of quotation	use extracts (quotations), in original form and in

⁴⁹¹ Art. 39 (excepting use of the computer program and for backup/archival purposes).

⁴⁹² Art. 35(3) (providing that the minimum amount of remuneration, terms of payment and proportion of distribution between authors, other holders of rights, performers, phonogram producers shall be determined by Council of Ministers of Belarus).

	translation
Type(s) of source work(s)	lawfully disclosed works, (performance, phonograms, programs of broadcasting or cablecasting organizations) ⁴⁹³
Entity exercising quotation	
Purpose of quotation	for research, educational, polemic, critical or information purposes
Condition of quotation	to the extent justified by the purpose of the quotation
Preclusions (not part of quotation)	
Subject to Attribution	source, author ⁴⁹⁴
Subject to Remuneration	not required (“without payment of remuneration for such use (free use)”)

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 36(1)
Scope of anthologies/compilations limitation/exception	use, in publications
Type(s) of source work(s)	a lawfully disclosed work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration for educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the educational purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“used freely”)

6. School Performances

Provision	Art. 32(6)
Scope of school performance	public performance
Type(s) of source work(s)	works, (performance, phonograms, programs of broadcasting or cablecasting organizations) ⁴⁹⁵
Entity exercising school performance	non-professional performers and non-professional (amateur) art groups including students, teachers and other employees of educational establishments

⁴⁹³ Art. 32(1).⁴⁹⁴ Art. 32(1) (referring to respecting the moral rights of authors and performers of the used works and performances).⁴⁹⁵ Art. 32(1).

Purpose of school performance	
Condition of school performance	such a use is not for profit-making purposes
Preclusions (not part of school performance)	
Subject to Attribution	source, author ⁴⁹⁶
Subject to Remuneration	not required (“public performance ... shall be allowed”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 36(1)
Scope of broadcast/communication/recording	use, in radio and television programs and audio and video recordings
Type(s) of source work(s)	a lawfully disclosed work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the educational purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“used freely”)

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

⁴⁹⁶ Art. 32(1) (referring to respecting the moral rights of authors and performers of the used works and performances).

Belgium

1. Legislation Reviewed

Law of April 19, 2014, inserting Book XI 'Intellectual Property' into Code of Economic Law

2. Private/Personal Use

Provision	Art. XI.190.3
Scope of private/personal use	performance
Type(s) of source work(s)	a lawfully published work
Entity exercising private/personal use	
Purpose of private/personal use	private performance
Condition of private/personal use	free carried out exclusively within the family circle
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. XI.217.3
Scope of private/personal use	performance
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private performance
Condition of private/personal use	free
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do not apply")

Provision	Art. XI.190.9
Scope of private/personal use	reproduction in any medium other than paper or similar media
Type(s) of source work(s)	a lawfully published work
Entity exercising private/personal use	
Purpose of private/personal use	reserved [for use of] the family circle
Condition of private/personal use	carried out in the family circle
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. XI.217.7
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Scope of private/personal use	reproduction in any medium other than paper or similar support
Type(s) of source work(s)	a performance
Entity exercising private/personal use	
Purpose of private/personal use	reserved [for the use of] the family circle
Condition of private/personal use	carried out within the family circle
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] do not apply”)

3. Quotations

Provision	Art. XI.189.1
Scope of quotation	quotations
Type(s) of source work(s)	a lawfully published work
Entity exercising quotation	
Purpose of quotation	critical, controversy, review or teaching purpose or in scientific works
Condition of quotation	in accordance with fair practice and to the extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (unless impossible)
Subject to Remuneration	not required (“do not infringe copyright”)

Provision	Art. XI.217.1
Scope of quotation	quotations
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	critical, controversy, review or teaching purpose or in scientific works
Condition of quotation	in accordance with fair practice and to the extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] do not apply”)

4. Research/Educational Reproduction

Provision	Art XI.190.6
Scope of research/educational reproduction	fragmentary or complete reproduction of (a) fragmentary reproduction of (b) reproduction is done on paper or similar support, using a photographic technique or any other method that produces a similar result
Type(s) of source work(s)	lawfully published: (a) articles, works of graphic or plastic art

	(b) other works
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching or scientific research
Condition of reproduction	extent justified by the nonprofit pursued
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	does not prejudice the normal exploitation of the work
Subject to Attribution	source, including author's name, unless impossible
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art XI.190.7
Scope of research/educational reproduction	fragmentary or complete reproduction of (a) short fragments of (b) reproduction is made in any medium other than on paper or similar support
Type(s) of source work(s)	lawfully published (a) articles, works of graphic or plastic art (b) other works
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	extent justified by the nonprofit pursued
Preclusions (not part of research/educational reproduction)	does not prejudice the normal exploitation of the work
Subject to Attribution	source, including author's name, unless impossible
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art XI.217.5
Scope of research/educational reproduction	reproduction, on any medium whatsoever
Type(s) of source work(s)	short fragments of a performance
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching or scientific research
Condition of reproduction	extent justified by the nonprofit pursued
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	does not prejudice the normal exploitation of the work
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. XI.189.2
Scope of anthologies/compilations limitation/exception	making of an anthology, by combining
Type(s) of source work(s)	extracts from works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations	for teaching

limitation/exception	
Condition of anthologies/compilations limitation/exception	agreement of authors whose works are extracted after death of author, consent of rightholder is not required provided choice of the extract, its presentation and its placement [sic] respect the moral rights of the author
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	after death of author, fair remuneration is paid, to be agreed between the parties, failing which it will be determined by the judge in accordance with fair practice

6. School Performances

Provision	Art. XI.190.4
Scope of school performance	free performance
Type(s) of source work(s)	a work lawfully published
Entity exercising school performance	
Purpose of school performance	school activities, both in school and outside of it
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. XI.190.11
Scope of school performance	free performance
Type(s) of source work(s)	a work lawfully published
Entity exercising school performance	
Purpose of school performance	public examination
Condition of school performance	purpose of performance is not the work itself, but assessment of the performer or performers of the work in view to awarding them a certificate of qualification, a diploma or as part of an approved type of teaching
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art XI.217.10
Scope of school performance	performance
Type(s) of source work(s)	a work, (a performance, phonogram,

	broadcast) ⁴⁹⁷
Entity exercising school performance	
Purpose of school performance	during a public examination where the purpose of the performance is not the work itself, but assessment of the performer or performers of the work in view to awarding them a certificate of qualification, a diploma or degree in a recognized educational institution
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] do not apply”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. XI.217.6
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	performances
Entity exercising broadcast/communication/recording	recognized institutions or organized officially for that purpose by the authorities
Purpose of broadcast/communication/recording	for purposes of illustration for teaching or scientific research
Condition of broadcast/communication/recording	communication is justified by the non-profit purpose lies within the normal activities of the institution
Frequency/limits of broadcast/communication/recording	done solely by means of closed transmission networks of the institution
Preclusions (not part of broadcast/communication/recording)	does not prejudice the normal exploitation of the performance
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] do not apply”)

Provision	Art. XI.190.8
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	works
Entity exercising broadcast/communication/recording	recognized institutions or organized officially for that purpose by the authorities
Purpose of broadcast/communication/recording	illustration for teaching or scientific research
Condition of broadcast/communication/recording	communication is justified by the non-commercial purpose communication lies within the normal activities of the institution
Frequency/limits of	communication is done solely at means of closed

⁴⁹⁷ Art. XI.217 (providing that the related rights for performances, phonograms and broadcasts do not apply where the acts are covered by the following provisions).

broadcast/communication/recording	transmission networks of the institution
Preclusions (not part of broadcast/communication/recording)	communication does not prejudice the normal exploitation of the work
Subject to Attribution	source, including author's name, unless impossible
Subject to Remuneration	not required ("author may not prohibit")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 291.2
Scope of TPM/RMI exception	require rightholder who used technological measures in respect of his work/performance to take, in a reasonable timeframe, voluntary measures, including agreements with other parties, to provide for the "beneficiaries" the benefit of the exception
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ⁴⁹⁸) to which beneficiary has legal access
Beneficiary exercising exception	"beneficiaries": users who reproduce work/subject-matter for, <i>inter alia</i> , anthology for teaching (Article XI.189.2), reproduction or communication for illustration for teaching or scientific research (Art. XI.190.6, 7, 8), illustration or communication for teaching or scientific research (Art. XI.217.5, 6)
Purpose of exception	
Condition of exception	

Notes: Art. XI.218 (lending of phonograms and fixations of films for educational and cultural purposes by institutions)

⁴⁹⁸ Art. XI.291.3 proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

Belize

1. Legislation Reviewed

Copyright Act (Cap. 252, Revised Edition 2000)

2. Private/Personal Use

Provision	ss 56, 58
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a “protected work” ⁴⁹⁹
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the effect of the act upon the potential market for, or the commercial value of, the work; and (d) the purpose and character of the use. ⁵⁰⁰
Frequency/copies and limits	
Preclusions (not part of private/personal use)	person (not researcher or student) ⁵⁰¹ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ⁵⁰²
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

3. Quotations

Provision	ss 57, 124, 58
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (a performance or recording) ⁵⁰³
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or another work/performance/recording or of performance of a work
Condition of quotation	to determine if act done in relation to a work

⁴⁹⁹ S 3(1) (defining “protected work” as a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable programme, and the typographical arrangement of a published edition).

⁵⁰⁰ S 58.

⁵⁰¹ Copying by a person other than the researcher or student under s 56 will trigger the preclusion from the exception.

⁵⁰² S 56(2)(b).

⁵⁰³ S 124.

	constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the effect of the act upon the potential market for, or the commercial value of, the work; and (d) the purpose and character of the use. ⁵⁰⁴
Preclusions (not part of quotation)	
Subject to Attribution	work: title (or other description), author (unless anonymous or author agreed or required that no acknowledgement be made) ⁵⁰⁵
Subject to Remuneration	not required (“does not infringe any copyright/[related] rights”)

4. Research/Educational Reproduction

Provision	s 56
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a “protected work” ⁵⁰⁶
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Condition of reproduction	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the effect of the act upon the potential market for, or the commercial value of, the work; and (d) the purpose and character of the use. ⁵⁰⁷
Frequency/copies and limits	person (not researcher or student) ⁵⁰⁸ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ⁵⁰⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

⁵⁰⁴ S 58.

⁵⁰⁵ S 55 (defining “sufficient acknowledgment”).

⁵⁰⁶ S 3(1) (defining “protected work” as a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable programme, and the typographical arrangement of a published edition).

⁵⁰⁷ S 58.

⁵⁰⁸ Copying by a person other than the researcher or student under s 56 will trigger the preclusion from the exception.

⁵⁰⁹ S 56(2)(b).

Provision	s 60(1)
Scope of research/educational reproduction	copying (not by means of a reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵¹⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 60(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵¹¹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 126(2)
Scope of research/educational reproduction	copying of, or anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵¹²
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("rights ... are not infringed")

⁵¹⁰ S 65.

⁵¹¹ S 65.

⁵¹² S 126(3).

Provision	s 64
Scope of research/educational reproduction	reprographic copies ⁵¹³
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Condition of reproduction	no copying if, or to extent that, licences under licensing scheme are available authorizing copying and person making copies knows or ought to have been aware of licences any collective licence granted not to be more restrictive than this provision
Frequency/copies and limits	not more than 5% in any quarter of the year reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵¹⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 61
Scope of anthologies/compilations limitation/exception	inclusion in collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	no more than 2 extracts from works by same author ⁵¹⁵ contained in collections by same publisher within 5 year period ⁵¹⁶

⁵¹³ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

⁵¹⁴ S 65.

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous or author has previously agreed/required no acknowledgement) ⁵¹⁷
Subject to Remuneration	not required (“does not infringe copyright”)

6. School Performances

Provision	s 62(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil, or at the establishment by any person for the purposes of instruction
Purpose of school performance	in the course of the activities of the establishment or for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational establishment and other “persons directly connected” ⁵¹⁸ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“not a public performance”)

Provision	s 62(2)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable program
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational establishment and other “persons directly connected” ⁵¹⁹ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“not a playing or showing of the work in public”)

⁵¹⁵ S 61(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁵¹⁶ Ss 61(1)(d), (2).

⁵¹⁷ S 55 (defining “sufficient acknowledgement”).

⁵¹⁸ S 62(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

⁵¹⁹ S 62(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

7. Educational Broadcasts/Communications/Recordings

Provision	ss 63, 127 ⁵²⁰
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	no recording if, or to extent that, licensing scheme under which licences are available authorising making of such recordings or copies, and person making recordings knows or ought to have been aware ⁵²¹ special considerations by Supreme Court regarding the licence charges payable by educational establishments ⁵²²
Frequency/limits of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵²³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without thereby infringing the copyright")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁵²⁰ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 119 exempts from infringement the rights of performance and recording.

⁵²¹ S 63(2).

⁵²² S 103.

⁵²³ Ss 65, 127(2).

Benin

1. Legislation Reviewed

Law No. 2005-30 of April 5, 2006, relating to Copyright and Related Rights of the Republic of Benin

2. Private/Personal Use

Provision	Art. 13
Scope of private/personal use	private performances
Type(s) of source work(s)	a work lawfully made accessible to the public, (performances, phonograms, broadcasts) ⁵²⁴
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within the family circle
Condition of private/personal use	no form of revenue generated
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“author may not prohibit”)

Provision	Art. 14
Scope of private/personal use	reproductions, translations or adaptations
Type(s) of source work(s)	lawfully published work, (performances, phonograms, broadcasts) ⁵²⁵
Entity exercising private/personal use	
Purpose of private/personal use	for strictly personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	architecture, reprographic reproduction of entire book or musical score, all or significant parts of digital databases, computer programs, ⁵²⁶ any other reproduction that would prejudice the normal exploitation of the work or would cause any prejudice to legitimate interests of author
Subject to Attribution	
Subject to Remuneration	equitable remuneration in the form of levies on physical media used for such reproduction paid by manufacturers/importers of media, ⁵²⁷ and remuneration for use of reprographic apparatus made available to the public by schools, teaching

⁵²⁴ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

⁵²⁵ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

⁵²⁶ Art. 20 (providing that computer programs may be reproduced or adapted for their intended usage, or for backup purposes).

⁵²⁷ Arts. 74, 75.

	establishments, research institutions, public libraries or establishments, ⁵²⁸ to CMO and distributed to authors, performers, phonogram producers
Provision	Art. 69
Scope of private/personal use	use
Type(s) of source work(s)	performances, phonograms, broadcasts ⁵²⁹
Entity exercising private/personal use	
Purpose of private/personal use	for private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	not required
Subject to Remuneration	equitable remuneration in the form of levies on physical media used for such reproduction paid by manufacturers/importers of media, ⁵³⁰ and remuneration for use of reprographic apparatus made available to the public by schools, teaching establishments, research institutions, public libraries or establishments, ⁵³¹ to CMO and distributed to authors, performers, phonogram producers

3. Quotations

Provision	Art. 15
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a work already lawfully made accessible to the public, and their translations
Entity exercising quotation	
Purpose of quotation	intended scientific, critical, polemic, educational or informative purpose
Condition of quotation	compatible with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be lawful")

Provision	Art. 69
Scope of quotation	use
Type(s) of source work(s)	performances, phonograms, broadcasts
Entity exercising quotation	
Purpose of quotation	quotation, in the form of short fragments

⁵²⁸ Art. 79.

⁵²⁹ Art. 1 (defining "broadcasting" to mean the communication of a work, a performance or a phonogram to the public by wireless transmission, including transmission by satellite).

⁵³⁰ Arts. 74, 75.

⁵³¹ Art. 79.

Condition of quotation	quotations are compatible with fair practice and justified by their informatory purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“shall be permitted without the consent of the entitled persons”)

4. Research/Educational Reproduction

Provision	Art. 69
Scope of research/educational reproduction	use
Type(s) of source work(s)	performances, phonograms, broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	solely for purposes of teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“shall be permitted without the consent of the entitled persons”)

Provision	Art. 21
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	individual articles lawfully published in a newspaper or periodical, and short extracts from a lawfully published work or a lawfully published short work, and (performances, phonograms, broadcasts) ⁵³²
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or for examinations within teaching establishments whose activities are not directly or indirectly profitmaking,
Condition of reproduction	
Frequency/copies and limits	to the extent justified by intended purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if name given in source)
Subject to Remuneration	not required (“shall be permitted without the consent of the entitled persons”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 21
Scope of anthologies/compilations limitation/exception	use as an illustration in publications
Type(s) of source work(s)	a lawfully published work, and

⁵³² Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

	performances, phonograms, broadcasts ⁵³³
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if name given in source)
Subject to Remuneration	not required ("shall be permitted without the consent of the entitled persons")

6. School Performances

Provision	Art. 13
Scope of school performance	private performances
Type(s) of source work(s)	a work lawfully made accessible to the public, (performances, phonograms, broadcasts) ⁵³⁴
Entity exercising school performance	
Purpose of school performance	for strictly educational or academic purposes
Condition of school performance	given free of charge in a teaching establishment for the benefit of staff, students and their families
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 21
Scope of broadcast/communication/recording	use as an illustration in broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, and performances, phonograms, broadcasts ⁵³⁵
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Frequency/limits of	

⁵³³ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

⁵³⁴ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

⁵³⁵ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if name given in source)
Subject to Remuneration	not required ("shall be permitted without the consent of the entitled persons")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Bhutan

1. Legislation Reviewed

Copyright Act of the Kingdom of Bhutan, 2001

2. Private/Personal Use

Provision	s 10
Scope of private/personal use	reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	architecture, reprographic reproduction of whole book or substantial part of musical work in graphic form, database, a computer program, ⁵³⁶ any work where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other owner of the copyright in, the work
Subject to Attribution	
Subject to Remuneration	not required (“permitted, without the authorization of the author/owner”)

Provision	s 27a
Scope of private/personal use	use
Type(s) of source work(s)	fixation of performance, sound recording or broadcast
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

Note: s 13 permits the reprographic reproduction by library or archive to make a single copy of a published article or short work or short extract by reprographic reproduction, on the request of a physical person, for his study, scholarship or private research.

3. Quotations

⁵³⁶ S 15 (providing for use of computer program and for archival purposes).

Provision	ss 11, 27d
Scope of quotation	reproduction, in the form of quotation, in another work
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording or broadcast) ⁵³⁷
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with fair practice reproduction extent does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required (“shall be permitted”, (“[neighbouring rights] shall not apply”)

4. Research/Educational Reproduction

Provision	s 12(1)a
Scope of research/educational reproduction	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching
Condition of reproduction	reproduction is compatible with fair practice
Frequency/copies and limits	extent does not exceed extent justified by purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on any copy, as far as practicable)
Subject to Remuneration	not required (“without the authorization of the author/owner”)

Provision	s 12(1)b
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	of a published article or other short work or short extract of a writing, with or without illustrations
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching in educational institutions whose activities do not serve direct or indirect commercial gain
Condition of reproduction	no collective licence available for making reproduction (i.e. offered by CMO where educational institution is aware or should be aware of its availability)
Frequency/copies and limits	act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions

⁵³⁷ S 27d (extending the exceptions in Part II to fixations of performances, sound recordings and broadcasts).

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on any copy, as far as practicable)
Subject to Remuneration	not required (“without the authorization of the author/owner”)

Provision	s 27c
Scope of research/educational reproduction	use
Type(s) of source work(s)	fixation of performance, sound recording or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to-face teaching or for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“shall be permitted”, (“[neighbouring rights] shall not apply”)

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Bolivia (Plurinational State of)

1. Legislation Reviewed

Law No.1322 of April 13, 1992, on Copyright

2. Private/Personal Use

3. Quotations

Provision	Art. 24
Scope of quotation	inclusion within one's own work
Type(s) of source work(s)	short excerpts from disclosed works by others
Entity exercising quotation	
Purpose of quotation	for quotation or for analysis, comment or critical assessment, for educational or research purposes
Condition of quotation	in accordance with proper practice and to the extent justified by the purpose being pursued no infringement of law occurs
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Bosnia and Herzegovina

1. Legislation Reviewed

Copyright and Related Rights Law 2010

2. Private/Personal Use

Provision	Art 46(2)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a disclosed work, (performance, phonogram, videogram, broadcast, edition) ⁵³⁸
Entity exercising private/personal use	a natural person
Purpose of private/personal use	
Condition of private/personal use	(on paper or similar medium) copy made by photocopying or similar technique (on any other media) copy for private use copies are not intended for or accessible by public no direct or indirect economic advantage gained
Frequency/copies and limits	only one copy made
Preclusions (not part of private/personal use)	whole of written works – unless book is out of print for at least 2 years sheet music – except by means of handwritten transcription electronic databases and computer programs works of architecture any work if such reproduction would be contrary to the ordinary exploitation of a work and detrimental to the legitimate interests of the author or copyright holder to an unreasonable extent
Subject to Attribution	
Subject to Remuneration	remuneration paid by manufacturer/importer of devices (sound, visual recording devices, photocopying devices) and blank audio/video recording media for photocopying, sound and visual recording (and similar reproduction techniques), by levy on first sale/importation of device/media and by operator on photocopying services for payment, to author, (performer, phonogram producer, film producer, publisher) ⁵³⁹

3. Quotations

Provision	Art. 47
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⁵³⁸ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

⁵³⁹ Arts. 120, 129, 133, 138.

Scope of quotation	quote passages and quotations
Type(s) of source work(s)	a disclosed work or individual disclosed works of photography, fine art, architecture, applied art and industrial and graphic design, (performance, phonogram, videogram, broadcast, edition) ⁵⁴⁰
Entity exercising quotation	
Purpose of quotation	scientific research, critique, polemic, review, teaching and other reference
Condition of quotation	to the extent justified by need for the intended illustration, confrontation or referral, in accordance with good practices
Preclusions (not part of quotation)	
Subject to Attribution	source and authorship (if indicated on work used)
Subject to Remuneration	not required ("it shall be permitted")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 41
Scope of anthologies/compilations limitation/exception	reproduce in/public communication of reading books, textbooks, workbooks and examination material
Type(s) of source work(s)	excerpts from works and individual works of photography, fine art, architecture, applied art, industrial and graphic design and cartography as disclosed works, (performance, phonogram, videogram, broadcast, edition) ⁵⁴¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	[teaching material and periodicals]
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source and authorship (if indicated on work used)
Subject to Remuneration	statutory licence/payment of equitable remuneration

6. School Performances

Provision	Art. 45(1)(a)
Scope of school performance	publicly perform

⁵⁴⁰ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

⁵⁴¹ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

Type(s) of source work(s)	disclosed works, (performances, phonograms, videograms, broadcasts, editions) ⁵⁴²
Entity exercising school performance	
Purpose of school performance	face-to-face teaching
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	source and authorship (if indicated on work used)
Subject to Remuneration	not required ("it shall be permitted")

Provision	Art. 45(1)(b)
Scope of school performance	publicly perform
Type(s) of source work(s)	disclosed works, (performances, phonograms, videograms, broadcasts, editions) ⁵⁴³
Entity exercising school performance	
Purpose of school performance	school events
Condition of school performance	free entrance to events performers receive no remuneration for their performance
Preclusions (not part of school performance)	
Subject to Attribution	source, author (if indicated on work used)
Subject to Remuneration	not required ("it shall be permitted")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 41
Scope of broadcast/communication/recording	public communication of reading books, textbooks, workbooks and examination material
Type(s) of source work(s)	excerpts from works and individual works of photography, fine art, architecture, applied art, industrial and graphic design and cartography as disclosed works, (performances, phonograms, videograms, broadcasts, editions) ⁵⁴⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	[teaching material and periodicals]
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on work used)

⁵⁴² Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

⁵⁴³ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

⁵⁴⁴ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

Subject to Remuneration	statutory licence/payment of equitable remuneration
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Provision	Art. 45(1)(c)
Scope of broadcast/communication/recording	publicly communicate, by means of loudspeakers, screens or similar technical devices
Type(s) of source work(s)	broadcast school programs, (performances, phonograms, videograms, broadcasts, editions) ⁵⁴⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	loudspeakers, screens or similar technical devices to be located within educational institution
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on work used)
Subject to Remuneration	not required ("it shall be permitted")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art 155
Scope of TPM/RMI exception	exercise substantive limitations to the rights of rightholders (by requiring right holder who uses technological measures to alter or remove the technological measure or in some other way)
Type(s) of source work(s)	
Beneficiary exercising exception	persons having lawful access to work or subject-matter
Purpose of exception	[inter alia] use for purpose of teaching ⁵⁴⁶
Condition of exception	

⁵⁴⁵ Art. 40(2) (applying substantive limitations to copyright mutatis mutandis to related rights).

⁵⁴⁶ Art. 155(3)(b).

Botswana

1. Legislation Reviewed

Copyright & Neighboring Rights Act, 2000 (Act No. 6 of 2006)

2. Private/Personal Use

Provision	s 13
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, sound recording or broadcast) ⁵⁴⁷
Entity exercising private/personal use	any person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer [sic] [program] ⁵⁴⁸ , any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other copyright owner”
Subject to Attribution	
Subject to Remuneration	not required (“without the authorization of the author/owner”)

3. Quotations

Provision	s 14
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording or broadcast) ⁵⁴⁹
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required (“without the authorization of the author/owner”)

⁵⁴⁷ S 28(a) (applying limitations on protection for authorship rights to neighbouring rights).

⁵⁴⁸ S 17 (excepting use of the computer program and for backup/archival purposes).

⁵⁴⁹ S 28(d) (applying limitations on protection for authorship rights to neighbouring rights).

4. Research/Educational Reproduction

Provision	s 15(1)(a)
Scope of research/educational reproduction	reproduction by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching purposes
Condition of reproduction	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author, as far as practicable on all copies
Subject to Remuneration	not required ("without the authorization of the author/owner")

Provision	ss 15(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching in education institutions the activities of which do not serve direct or indirect commercial gain
Condition of reproduction	no collective licence available, offered by a collective administration organization of which educational institution is or should be aware, under which such reproduction can be made
Frequency/copies and limits	act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author, as far as practicable on all copies
Subject to Remuneration	not required ("without the authorization of the author/owner")

Provision	s 28(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, sound recording or broadcast ⁵⁵⁰
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching activities or for "scientific research" ⁵⁵¹
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	

⁵⁵⁰ S 28(c) (applying limitations on protection for authorship rights to neighbouring rights).

⁵⁵¹ S 28(c) and (d) (applying limitations on protection for authorship rights to neighbouring rights).

Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)
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5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 28(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, sound recording or broadcast ⁵⁵²
Entity exercising school performance	
Purpose of school performance	for face-to-face teaching activities or for “scientific research” ⁵⁵³
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁵⁵² S 28(c) (applying limitations on protection for authorship rights to neighbouring rights).

⁵⁵³ S 28(c) and (d) (applying limitations on protection for authorship rights to neighbouring rights).

Brazil

1. Legislation Reviewed

Law No. 9.610 of February 19, 1998 (Law on Copyright and Neighboring Rights) (all references are by default to this law)

Law No. 9.609 of February 19, 1998 (Law on Protection of Intellectual Property of Software, its Commercialization in the Country, and Other Provisions)

2. Private/Personal Use

Provision	Art. 46.II
Scope of private/personal use	reproduction
Type(s) of source work(s)	short extracts from a work, (a performance, phonogram, broadcast) ⁵⁵⁴
Entity exercising private/personal use	
Purpose of private/personal use	private use of the copier
Condition of private/personal use	copy done by [entity] copy done without gainful intent
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute violation of copyright")

Provision	Art. 46.VI
Scope of private/personal use	stage and musical performance
Type(s) of source work(s)	[a work], (a performance, phonogram, broadcast) ⁵⁵⁵
Entity exercising private/personal use	carried out in the family circle
Purpose of private/personal use	devoid of any profitmaking purpose
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute violation of copyright")

3. Quotations

Provision	Art. 46.III
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⁵⁵⁴ Art. 89 (applying provisions on authors' rights mutatis mutandis to the rights of performers, producers of phonograms and broadcasting organizations).

⁵⁵⁵ Art. 89 (applying provisions on authors' rights mutatis mutandis to the rights of performers, producers of phonograms and broadcasting organizations).

Scope of quotation	quotation in books, newspapers, magazines or any other medium of communication
Type(s) of source work(s)	passages from a work, (a performance, phonogram, broadcast) ⁵⁵⁶
Entity exercising quotation	
Purpose of quotation	for the purposes of study, criticism or debate
Condition of quotation	to extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall not constitute violation of copyright")

Provision	Art. 6.II, Law No. 9.609 of February 19, 1998 (Law on Protection of Intellectual Property of Software, its Commercialization in the Country, and Other Provisions)
Scope of quotation	partial quotes
Type(s) of source work(s)	a computer program
Entity exercising quotation	
Purpose of quotation	for teaching purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	program and title-holder of respective rights
Subject to Remuneration	not required ("not constitute offense to the rights")

4. Research/Educational Reproduction

Provision	Art. 46.IV
Scope of research/educational reproduction	notes taken in the course of lessons given in teaching establishments
Type(s) of source work(s)	[lessons], (a performance, phonogram, broadcast) ⁵⁵⁷
Entity exercising reproduction	[students] persons for whom lessons are intended
Purpose of educational reproduction	
Condition of reproduction	complete or partial publication is prohibited without the express prior authorization of person who gave lessons
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute violation of copyright")

⁵⁵⁶ Art. 89 (applying provisions on authors' rights mutatis mutandis to the rights of performers, producers of phonograms and broadcasting organizations).

⁵⁵⁷ Art. 89 (applying provisions on authors' rights mutatis mutandis to the rights of performers, producers of phonograms and broadcasting organizations).

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 46.VI
Scope of school performance	stage and musical performance
Type(s) of source work(s)	[a work], (a performance, phonogram, broadcast) ⁵⁵⁸
Purpose of school performance	for exclusively teaching purposes in educational establishments
Condition of school performance	devoid of any profitmaking purpose
Entity exercising school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute violation of copyright")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁵⁵⁸ Art. 89 (applying provisions on authors' rights mutatis mutandis to the rights of performers, producers of phonograms and broadcasting organizations).

Brunei Darussalam

1. Legislation Reviewed

Emergency (Copyright) Order, 1999

2. Private/Personal Use

Provision	s 33(1), (2)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	copying by a person other than researcher or student is not fair dealing if “person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ⁵⁵⁹
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe any copyright”)

3. Quotations

Provision	s 34
Scope of quotation	fair dealing
Type(s) of source work(s)	a work ⁵⁶⁰
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁵⁶¹
Subject to Remuneration	not required (“does not infringe any copyright”)

Provision	para. 2(a), Second Schedule
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⁵⁵⁹ S 33(3)(b).

⁵⁶⁰ S 3(1) (defining “work” as an original literary, dramatic, musical or artistic work, a sound recording, a film, a broadcast, a cable programme, and the typographical arrangement of published editions).

⁵⁶¹ S 2(1) (defining “sufficient acknowledgement”).

Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording ⁵⁶²
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe any of the rights”)

4. Research/Educational Reproduction

Provision	s 33(1), (2)
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Condition of reproduction	
Frequency/copies and limits	copying by a person other than researcher or student is not fair dealing if “person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ⁵⁶³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe any copyright”)

Provision	s 36(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction
Condition of reproduction	not by means of a reprographic process
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright ... is not infringed”)

Provision	s 36(3), para 4(2), Second Schedule
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⁵⁶² S 180(b) (defining “recording” as the recording of the performance of a performer).

⁵⁶³ S 33(3)(b).

⁵⁶⁴ S 36(5).

Scope of research/educational reproduction	anything done [including the copying of a recording of a performance] ⁵⁶⁵ by way of setting the questions, communicating the questions to the candidates, or answering the questions
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purpose of an examination
Condition of reproduction	does not apply to making of a reprographic copy of a musical work for use by an examination candidate in performing the work ⁵⁶⁶
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright is not infringed”, “the rights ... are not infringed”)

Provision	s 40
Scope of research/educational reproduction	reprographic copies ⁵⁶⁸
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an “educational establishment” ⁵⁶⁹
Purpose of educational reproduction	instruction
Condition of reproduction	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ⁵⁷⁰ any collective licence granted not to be more restrictive than this provision ⁵⁷¹
Frequency/copies and limits	not more than 1% in any quarter of the year reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁷²
Preclusions (not part of research/educational reproduction)	

⁵⁶⁵ Para 4(2), Second Schedule.

⁵⁶⁶ S 36(4).

⁵⁶⁷ S 36(5), Para 4(3), Second Schedule.

⁵⁶⁸ S 2(1) (defining “reprographic copying” as copying by means of a reprographic process, and a “reprographic process” as a process for making facsimile copies or involving the use of an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a film or sound recording).

⁵⁶⁹ S 177 (defining an “educational establishment” as any school or description of educational establishment as prescribed by Ministerial order).

⁵⁷⁰ S 40(3). Statutory licensing scheme for educational institutions is set out in ss 148-152.

⁵⁷¹ S 40(4).

⁵⁷² S 40(5).

Subject to Attribution	
Subject to Remuneration	not required (“without infringing any copyright”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 37
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use [for the educational purposes] ⁵⁷³ in an educational establishment
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher’s advertisement collection consists mainly of material in which no copyright subsists work itself is not intended for use in educational establishment
Frequency/copies and limits	no more than 2 excerpts from works by same author ⁵⁷⁴ contained in collections by same publisher within 5 year period ⁵⁷⁵
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁵⁷⁶
Subject to Remuneration	not required (“does not infringe the copyright”)

6. School Performances

Provision	s 38(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	a teacher or student in the course of the activities of the establishment, or any person at the educational establishment for purpose of instruction
Purpose of school performance	

⁵⁷³ S 37(4).

⁵⁷⁴ S 37(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁵⁷⁵ S 44(2).

⁵⁷⁶ S 2(1) (defining “sufficient acknowledgement”).

Condition of school performance	audience consisting of teachers and students at an educational establishment and other persons “directly connected” ⁵⁷⁷ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“is not a public performance”)

Provision	s 38(2), para 5(1), Second Schedule
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	purpose of instruction
Condition of school performance	audience consisting of teachers and students at an educational establishment and other persons “directly connected” ⁵⁷⁸ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“is not a public performance”, “is not a playing/showing of a performance in public”)

Provision	s 70, para 15, Second Schedule
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	
Purpose of school performance	as part of the activities of, or for the benefit of, a club, society or other similar organisation
Condition of school performance	organisation is not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement of the copyright/any [neighbouring] right”)

⁵⁷⁷ S 38(3) (“A person is not for this purpose directly connected with the activities of the educational establishment only because he is the parent of a student at the establishment.”)

⁵⁷⁸ S 38(3) (“A person is not for this purpose directly connected with the activities of the educational establishment only because he is the parent of a student at the establishment.”), Para 5(2), Second Schedule.

7. Educational Broadcasts/Communications/Recordings

Provision	s 36(2), para 4(1), Second Schedule
Scope of broadcast/communication/recording	copying by making a film or film sound-track, (or a recording of,) ⁵⁷⁹
Type(s) of source work(s)	sound recording, film, broadcast or cable programme, (performance) ⁵⁸⁰
Entity exercising broadcast/communication/recording	a person giving or receiving the instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁸¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright/[neighbouring] rights ... is/are not infringed”)

Provision	s 39, para 6(1), Second Schedule
Scope of broadcast/communication/recording	recording, or copy of a recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	no recording if certified licensing scheme under s 135 providing for grant of licences special considerations by Copyright Tribunal regarding the licence charges payable by educational establishments under a s 135 licensing scheme ⁵⁸²
Frequency/limits of broadcast/communication/recording	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁸³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“without thereby infringing ... copyright/[neighbouring] rights”)

⁵⁷⁹ Para 4(1), Second Schedule.

⁵⁸⁰ *Id.*

⁵⁸¹ S 36(5).

⁵⁸² S 135(2) (“The Copyright Tribunal shall, in considering what charges (if any) should be paid for a licence, have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.”)

⁵⁸³ S 39(3), Para 6(2), Second Schedule.

Provision	s 36(3), para 4(2), Second Schedule
Scope of broadcast/communication/recording	anything done [including the copying of a recording of a performance] ⁵⁸⁴ by way of setting the questions, communicating the questions to the candidates, or answering the questions
Type(s) of source work(s)	
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purpose of an examination
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁸⁵
Preclusions (not part of broadcast/communication/recording)	does not apply to making of a reprographic copy of a musical work for use by an examination candidate in performing the work ⁵⁸⁶
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁵⁸⁴ Para 4(2), Second Schedule.

⁵⁸⁵ S 36(5), Para 4(3), Second Schedule.

⁵⁸⁶ S 36(4).

Bulgaria

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (as amended in 2011)

2. Private/Personal Use

Provision	Art. 25(1).2
Scope of private/personal use	reproduction, regardless of the carrier
Type(s) of source work(s)	works, performances, ⁵⁸⁷ phonograms, ⁵⁸⁸ films ⁵⁸⁹
Entity exercising private/personal use	natural person
Purpose of private/personal use	for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, computer software ⁵⁹⁰ where normal use of the work is not hampered or legitimate interests of owner of copyright are not impaired ⁵⁹¹
Subject to Attribution	
Subject to Remuneration	payment of fair compensation

Provision	Art. 25(1).1
Scope of private/personal use	reproduction, on paper or other similar carrier by reprography or other technique
Type(s) of source work(s)	printed works, except note materials
Entity exercising private/personal use	
Purpose of private/personal use	non-commercial purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	where normal use of the work is not hampered or legitimate interests of owner of copyright are not impaired ⁵⁹²
Subject to Attribution	
Subject to Remuneration	payment of fair compensation

⁵⁸⁷ Art. 84 (applying exceptions by analogy to performances).

⁵⁸⁸ Art. 90 (applying exceptions by analogy to phonograms).

⁵⁸⁹ Art. 90c (applying exceptions by analogy to films).

⁵⁹⁰ Art. 25(2).

⁵⁹¹ Art. 23 ("The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.").

⁵⁹² Art. 23 ("The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.").

3. Quotations

Provision	Art. 24(1).2
Scope of quotation	use of quotations
Type(s) of source work(s)	works of other persons already made available to the public films, ⁵⁹³ broadcasts ⁵⁹⁴
Entity exercising quotation	
Purpose of quotation	criticism or overview
Condition of quotation	quotation must comply with the usual practice quotation to be in amount, justified by purpose
Preclusions (not part of quotation)	computer software ⁵⁹⁵ normal use of work is not hampered and legitimate interests of owner of copyright are not impaired ⁵⁹⁶
Subject to Attribution	source, author, unless impossible
Subject to Remuneration	not required (“without payment of compensation”)

4. Research/Educational Reproduction

Provision	Art. 24(1).9
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	already published works
Entity exercising reproduction	publicly accessible libraries, educational or other learning establishments, museums and archive institutions
Purpose of educational reproduction	educational purposes or with purpose of preservation of the works
Condition of reproduction	not for commercial purposes does not include computer software ⁵⁹⁷
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	normal use of work is not hampered and legitimate interests of owner of copyright are not impaired ⁵⁹⁸
Subject to Attribution	

⁵⁹³ Art. 90c (applying exceptions by analogy to films).

⁵⁹⁴ Art. 93 (applying exceptions by analogy to broadcasts).

⁵⁹⁵ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

⁵⁹⁶ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

⁵⁹⁷ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

⁵⁹⁸ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

Subject to Remuneration	not required (“without payment of compensation”)
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5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 24(1).3
Scope of anthologies/compilations limitation/exception	use, in other works
Type(s) of source work(s)	parts of published works and of “not big number [sic]” of [other/unpublished] works published phonograms, ⁵⁹⁹ films, ⁶⁰⁰ broadcasts ⁶⁰¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for scientific and educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	in amount necessary for analysis, commentary or other kind of scientific research
Preclusions (not part of anthologies/compilations limitation/exception)	does not include computer software ⁶⁰² normal use of work is not hampered and legitimate interests of owner of copyright are not impaired ⁶⁰³
Subject to Attribution	source, author, unless impossible
Subject to Remuneration	not required (“without payment of compensation”)

6. School Performances

Provision	Art. 24(1).8
Scope of school performance	public presentation and public performance
Type(s) of source work(s)	published works, performances, ⁶⁰⁴ phonograms, ⁶⁰⁵ films, ⁶⁰⁶ broadcasts ⁶⁰⁷
Purpose of school performance	
Condition of school performance	no pecuniary revenues are received no compensation is paid to participants in preparation and realization of presentation or performance

⁵⁹⁹ Art. 90 (applying exceptions by analogy to phonograms).

⁶⁰⁰ Art. 90c (applying exceptions by analogy to films).

⁶⁰¹ Art. 93 (applying exceptions by analogy to broadcasts).

⁶⁰² Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

⁶⁰³ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

⁶⁰⁴ Art. 84 (applying exceptions by analogy to performances).

⁶⁰⁵ Art. 90 (applying exceptions by analogy to phonograms).

⁶⁰⁶ Art. 90c (applying exceptions by analogy to films).

⁶⁰⁷ Art. 93 (applying exceptions by analogy to broadcasts).

Entity exercising school performance	in educational or other learning establishments
Preclusions (not part of school performance)	computer software ⁶⁰⁸ normal use of work is not hampered and legitimate interests of owner of copyright are not impaired ⁶⁰⁹
Subject to Attribution	
Subject to Remuneration	not required (“without payment of compensation”)

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁶⁰⁸ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

⁶⁰⁹ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

Burkina Faso

1. Legislation Reviewed

Law No. 032-99/AN of December 22, 1999, on the Protection of Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 21
Scope of private/personal use	performances
Type(s) of source work(s)	legally disclosed work, (performance, phonogram, videogram, broadcast) ⁶¹⁰
Entity exercising private/personal use	
Purpose of private/personal use	private and gratuitous
Condition of private/personal use	held exclusively within the family circle
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“author may not prohibit”)

Provision	Art. 21
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a legally disclosed work, (performance, phonogram, videogram, broadcast) ⁶¹¹
Entity exercising private/personal use	
Purpose of private/personal use	strictly for the private use of copier
Condition of private/personal use	not intended for collective use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture (for purposes identical to original works), whole or substantial part of a database, computer programs ⁶¹²
Subject to Attribution	
Subject to Remuneration	not required (“author may not prohibit”)

3. Quotations

Provision	Art. 22
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	work has been legally disclosed
Entity exercising quotation	
Purpose of quotation	justified by critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	

⁶¹⁰ Art. 80 (applying by extension exceptions in relation to copyright to neighbouring rights).

⁶¹¹ Art 80, item 1. See also Art. 80, item 5 (applying by extension exceptions in relation to copyright to neighbouring rights).

⁶¹² Art. 23 (excepting use of the computer program and for backup/archival purposes).

Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“author may not prohibit”)

Provision	Art. 80, item 4
Scope of quotation	citations, as short fragments
Type(s) of source work(s)	a performance, phonogram, videogram or broadcast
Entity exercising quotation	
Purpose of quotation	justified by information aim
Condition of quotation	citations properly used
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“permitted without the authorization of the [neighbouring rights owners]”)

4. Research/Educational Reproduction

Provision	Art. 80, item 3
Scope of research/educational reproduction	use
Type(s) of source work(s)	performance, phonogram, videogram or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for educational or scientific research purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“permitted without the authorization of the [neighbouring rights owners]”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 22
Scope of anthologies/compilations limitation/exception	use by means of publication
Type(s) of source work(s)	literary or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching examples
Condition of anthologies/compilations limitation/exception	use is not abusive use devoid of any commercial purpose
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	

Subject to Attribution	
Subject to Remuneration	not required (“author may not prohibit”)

6. School Performances

Provision	Art. 80, item 3
Scope of school performance	use
Type(s) of source work(s)	performance, phonogram, videogram or broadcast
Entity exercising school performance	
Purpose of school performance	solely for educational or scientific research purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“permitted without the authorization of the [neighbouring rights owners]”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 22
Scope of broadcast/communication/recording	use by means of broadcasting or audio or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching examples
Condition of broadcast/communication/recording	use is not abusive use devoid of any commercial purpose
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“author may not prohibit”)

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Burundi

1. Legislation Reviewed

Law No. 1/021 of December 30, 2005, on the Protection of Copyright and Related Rights in Burundi

2. Private/Personal Use

Provision	Art. 26.1(a)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	any work that has been lawfully published, and (a performance, phonogram and broadcast) ⁶¹³
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal or private use
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or major parts of a digital database, computer programs ⁶¹⁴ , any work where "reproduction would conflict with a normal use of the work or would unreasonably prejudice legitimate interests of author"
Subject to Attribution	
Subject to Remuneration	not required ("permissible without the author's consent")

Provision	Art. 82(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram and broadcast ⁶¹⁵
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not be applicable")

Provision	Art. 34
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⁶¹³ Art. 82(a) (extending limitations under Part One of the law to Part Two to encompass performances, phonograms and broadcasts).

⁶¹⁴ Art. 27 (excepting use of the computer program and for backup/archival purposes).

⁶¹⁵ Art. 82(a) (extending limitations under Part One of the law to Part Two to encompass performances, phonograms and broadcasts).

Scope of private/personal use	reproduction
Type(s) of source work(s)	legally published audiovisual work or a sound recording
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for user's private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration paid by producers/importers of physical media/devices used for reproduction, collected by CMO for distribution to authors, performers and phonogram producers ⁶¹⁶

3. Quotations

Provision	Art. 26.1(b)
Scope of quotation	inclusion of quotations, in another work
Type(s) of source work(s)	any lawfully published work, newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations is compatible with fair practice extent does not exceed extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

Provision	Art. 82(d)
Scope of quotation	reproduction, in the form of quotation
Type(s) of source work(s)	a short part of a performance, a phonogram or a broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with fair practice extent does not exceed extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not be applicable")

⁶¹⁶ Arts. 34, 85.

4. Research/Educational Reproduction

Provision	Art. 26.5
Scope of research/educational reproduction	reproduction by a photographic or similar process
Type(s) of source work(s)	lawfully-published literary and artistic work, and (a performance, phonogram and broadcast) ⁶¹⁷
Entity exercising reproduction	public libraries, non-commercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	reproduction and number of copies made are limited to the needs of entity's regular activities
Preclusions (not part of research/educational reproduction)	reproduction does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("permissible without the author's consent")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 26.1(c)
Scope of anthologies/compilations limitation/exception	use of work by way of illustration in publications
Type(s) of source work(s)	lawfully published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching for use in schools, educational establishments, universities and professional training
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

6. School Performances

Provision	Art. 82(c)
Scope of school performance	use
Type(s) of source work(s)	performance, phonogram and broadcast
Entity exercising school performance	
Purpose of school performance	solely for teaching activities or scientific research

⁶¹⁷ Art. 82(a) (extending limitations under Part One of the law to Part Two to encompass performances, phonograms and broadcasts).

Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not be applicable”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 26.1(c)
Scope of broadcast/communication/recording	use of work by way of illustration in broadcasts or sound or visual recordings, or communication
Type(s) of source work(s)	lawfully published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcasts or sound or visual recordings: for teaching to the extent justified by the purpose communication: for teaching purposes of the work, broadcast or distributed by cable for use in schools, educational establishments, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required (“permissible without the author’s consent”)

Provision	Art. 82(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performance, phonogram and broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for teaching activities or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not be applicable”)

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 32
Nature of compulsory licence for translation for educational purposes	compulsory licence for translation into Kirundi, Swahili, English or French and the publication of that translation on the territory of Burundi
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a work
Licence applicant/entity	
Purpose of licence	
Condition of licence	conditions specified in the regulations on translation licences annexed to this Act
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

Provision	Art. 33
Nature of compulsory licence for reproduction for educational purposes	compulsory licence for reproduction and publication, on the territory of Burundi
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	[reproduction of] a work and [publication of] a particular edition of the work
Licence applicant/entity	
Purpose of licence	
Condition of licence	conditions specified in the regulations on translation licences annexed to this Act
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

9. TPM/RMI Exceptions for Educational Purposes

Cabo Verde

1. Legislation Reviewed

Decree-Law No. 1/2009 of April 27, 2009, revising the Law on Copyright

2. Private/Personal Use

Provision	Arts. 62.1(l), 63
Scope of private/personal use	reproduction, translation, adaptation, arrangement, or any other alteration
Type(s) of source work(s)	lawfully published or disclosed works
Entity exercising private/personal use	
Purpose of private/personal use	individual and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of 3D arts of limited printruns, musical scores, exercise manuals and “other publications as long as people use them only once”, whole or substantial part of a database, computer program ⁶¹⁸ , any other reproduction which “damages its normal exploitation or causes unjustified prejudice to the legitimate interests of the author” ⁶¹⁹
Subject to Attribution	title, author ⁶²⁰
Subject to Remuneration	not required (“without any need for compensation”)

Provision	Art. 62.1(a)
Scope of private/personal use	performance, execution, cinematographic showing
Type(s) of source work(s)	recorded or broadcast (lawfully published or disclosed) works
Entity exercising private/personal use	
Purpose of private/personal use	performance etc. take place in private
Condition of private/personal use	no paid entry without profit
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author ⁶²¹
Subject to Remuneration	not required (“without any need for

⁶¹⁸ S 17 (excepting use of the computer program and for backup/archival purposes).

⁶¹⁹ Art. 63(e).

⁶²⁰ Art. 61(1).

⁶²¹ Art. 61(1).

	compensation”)
Provision	Art. 73
Scope of private/personal use	reproduction
Type(s) of source work(s)	lawfully published audiovisual work or sound recording
Entity exercising private/personal use	
Purpose of private/personal use	private use by the user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair remuneration paid by importers and sellers of apparatus and material carriers used for reproduction or recording, received by CMO for distribution to authors, performers, phonogram and videogram producers

3. Quotations

Provision	Art. 62.1(f)
Scope of quotation	citation
Type(s) of source work(s)	short excerpts of another author's work, whether in written, audio or visual form
Entity exercising quotation	
Purpose of quotation	for scientific, critical or didactic reasons or for information
Condition of quotation	excerpts are not so extensive as to lessen interest in the work
Preclusions (not part of quotation)	
Subject to Attribution	title, author ⁶²²
Subject to Remuneration	not required (“without any need for compensation”)

4. Research/Educational Reproduction

Provision	Art. 62.1(b)
Scope of research/educational reproduction	reproduction by photographic processes or any other similar processes
Type(s) of source work(s)	
Entity exercising reproduction	libraries, archives and non-commercial documentation centers, scientific institutes or teaching establishments
Purpose of educational reproduction	exclusively didactic, research or professional training purposes
Condition of reproduction	

⁶²² Art. 61(1).

Frequency/copies and limits	copies reproduced do not exceed the needs of the purpose for which they are intended
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author ⁶²³
Subject to Remuneration	not required (“without any need for compensation”)

Provision	Art. 72
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	works which are not yet available in trade or are impossible to obtain
Entity exercising reproduction	
Purpose of educational reproduction	purely scientific or humanitarian interest purposes
Condition of reproduction	
Frequency/copies and limits	a single copy for the time necessary for their use
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“shall ... be permitted”)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 62.1(a)
Scope of school performance	performance, execution, cinematographic showing
Type(s) of source work(s)	recorded or broadcast (lawfully published or disclosed) works
Entity exercising school performance	
Purpose of school performance	in school establishments for exclusively educational, research or professional training purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	title, author ⁶²⁴
Subject to Remuneration	not required (“without any need for compensation”)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 62.1(a)
Scope of broadcast/communication/recording	communication

⁶²³ Art. 61(1).

⁶²⁴ Art. 61(1).

Type(s) of source work(s)	recorded or broadcast (lawfully published or disclosed) works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for exclusively educational, research or professional training purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	in school establishments
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author ⁶²⁵
Subject to Remuneration	not required (“without any need for compensation”)

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 75
Nature of compulsory licence for translation for educational purposes	non-exclusive inalienable compulsory licence, for translation, publication and/or reproduction in Cape Verde ⁶²⁶
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	work already lawfully disclosed into Portuguese or Cape Verdean creole, which its author has not withdrawn from circulation
Licence applicant/entity	an audio or audiovisual broadcasting organisation with headquarters in Cape Verde
Purpose of licence	for exclusively teaching or scientific research purposes exclusively for teaching or scientific research purposes, in audiovisual fixations for school or scientific use ⁶²⁷
Condition of licence	1 year has elapsed since first publication/reproduction of work in original language; or 3 years have elapsed since first publication/reproduction of work in Portuguese or Cape Verdean creole, without another translation having been published or copies of reproduction being exhausted during this period ⁶²⁸ licensee proves that authorization was requested but not granted from rights holder, or it was not

⁶²⁵ Art. 61(1).

⁶²⁶ However, export of such copies to citizens domiciled abroad, within the limits strictly necessary and with express prohibition on its commercialization, is allowed. Art. 75.1(c).

⁶²⁷ Art. 75.2.

⁶²⁸ Art. 75.1(a).

	possible to find, despite reasonable efforts, the rights holder ⁶²⁹
	title and author to be indicated on all copies of published translation/reproductions ⁶³⁰
Compulsory licence fee(s)	beneficiary of compulsory licence to be guaranteed fair and equitable compensation ⁶³¹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Government department responsible for culture sector ⁶³²

Provision	Art. 75
Nature of compulsory licence for reproduction for educational purposes	non-exclusive inalienable compulsory licence, for reproduction in Cape Verde ⁶³³
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	work already lawfully disclosed into Portuguese or Cape Verdean creole, which its author has not withdrawn from circulation
Licence applicant/entity	[includes] ⁶³⁴ an audio or audiovisual broadcasting organisation with headquarters in Cape Verde
Purpose of licence	for exclusively teaching or scientific research purposes exclusively for teaching or scientific research purposes, in audiovisual fixations for school or scientific use ⁶³⁵
Condition of licence	1 year has elapsed since first publication/reproduction of work in original language; or 3 years have elapsed since first publication/reproduction of work in Portuguese or Cape Verdean creole, without another translation having been published or copies of reproduction being exhausted during this period ⁶³⁶ licensee proves that authorization was requested but not granted from rights holder, or it was not possible to find the rights holder, despite reasonable efforts ⁶³⁷

⁶²⁹ Art. 75.1(b).

⁶³⁰ Art. 75.3.

⁶³¹ Art. 75.1(d).

⁶³² Art. 75.4.

⁶³³ However, export of such copies to citizens domiciled abroad, within the limits strictly necessary and with express prohibition on its commercialization, is allowed. Art. 75.1(c).

⁶³⁴ Art. 75.2 (referring to a licence which "may" be granted to an audio or audiovisual broadcasting organization).

⁶³⁵ Art. 75.2.

⁶³⁶ Art. 75.1(a).

⁶³⁷ Art. 75.1(b).

	title and author to be indicated on all copies of published translation/reproductions ⁶³⁸
Compulsory licence fee(s)	beneficiary of compulsory licence to be guaranteed fair and equitable compensation ⁶³⁹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Government department responsible for culture sector ⁶⁴⁰

9. TPM/RMI Exceptions for Educational Purposes

⁶³⁸ Art. 75.3.

⁶³⁹ Art. 75.1(d).

⁶⁴⁰ Art. 75.4.

Cambodia

1. Legislation Reviewed

Law on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 24
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (performances, phonograms, video productions and broadcasts) ⁶⁴¹
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ⁶⁴² , any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or rightholder”
Subject to Attribution	
Subject to Remuneration	not required (“without the authorization of the author/rightholder”)

Provision	Art. 25(1).a
Scope of private/personal use	free and private representations
Type(s) of source work(s)	works, (performances, phonograms, video productions and broadcasts) ⁶⁴³
Entity exercising private/personal use	
Purpose of private/personal use	exclusively to a close circle of people such as family or friends
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“author cannot prohibit”)

3. Quotations

Provision	Art. 25(2).1
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⁶⁴¹ Art. 50(e).

⁶⁴² Other than a backup-copy. Art. 24(d).

⁶⁴³ Art. 50(e).

Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemical, pedagogical, scientific or informative nature of that work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("not subjected to any prohibitions by the author")

Provision	Art. 28
Scope of quotation	cite/reproduction, in another work
Type(s) of source work(s)	a legitimately published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	citation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("without payment of any remuneration")

Provision	Art. 50(d)
Scope of quotation	quotation
Type(s) of source work(s)	short citation extracted from performance, phonogram or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is conformed to reasonable practice and justified by proper informative objective
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of any remuneration")

4. Research/Educational Reproduction

Provision	Art. 25(1).c
Scope of research/educational reproduction	use
Type(s) of source work(s)	work
Entity exercising reproduction	
Purpose of educational reproduction	education
Condition of reproduction	which is not for financial gain
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("author cannot prohibit")

Provision	Art. 29(b)
Scope of research/educational reproduction	reproduce (by reprographic means)
Type(s) of source work(s)	any separated articles, articles of the newspaper or magazine, or short extracts of any legally published works
Entity exercising reproduction	
Purpose of educational reproduction	used for teaching or for examinations held by any educational establishments
Condition of reproduction	activities do not lead directly or indirectly to commercial gain and must be done with appropriate reason according to this specific objective
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("without payment of any remuneration")

Provision	Art. 50(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	performances, phonograms, video productions and broadcasts ⁶⁴⁴
Entity exercising reproduction	
Purpose of educational reproduction	scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of any remuneration")

Provision	Art. 50(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	performances, phonograms, video productions and broadcasts, ⁶⁴⁵ except for performances or phonograms produced for educational purposes
Entity exercising reproduction	
Purpose of educational reproduction	educational purpose
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of	

⁶⁴⁴ Art. 50.

⁶⁴⁵ Art. 50.

research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“without payment of any remuneration”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 29(a)
Scope of anthologies/compilations limitation/exception	use for the purpose of illustration in publication such as book or newspaper
Type(s) of source work(s)	a legally published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required (“without payment of any remuneration”)

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 29(a)
Scope of broadcast/communication/recording	use by broadcasting, or by audio or visual screening
Type(s) of source work(s)	a legally published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required (“without payment of any remuneration”)

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Cameroon

1. Legislation Reviewed

Law No. 2000/011 of December 19, 2000 on Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	s 29(1)(c)
Scope of private/personal use	reproductions and transformations
Type(s) of source work(s)	work published with authorization of author
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use of the person who makes them
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	any collective use or any exploitation for profit ⁶⁴⁶ works of architecture, reprographic reproduction of whole book or musical notation, a database, computer program ⁶⁴⁷ , any work where reproduction would “violate the normal exploitation of work or which will be unjustifiably detrimental to the legitimate interests of the author” ⁶⁴⁸
Subject to Attribution	
Subject to Remuneration	remuneration to be paid by manufacturer/importer of recording media used making personal and private reproductions of works or recordings fixed on phonograms or videograms, ⁶⁴⁹ and by manufacturer/importer of machines used for reproduction of printed works for personal and private use, ⁶⁵⁰ to be payable through CMOs to authors, performers, producers and publishers

Provision	s 67(1)(b)
Scope of private/personal use	reproductions
Type(s) of source work(s)	performance, phonogram, videogram, audiovisual programmes ⁶⁵¹
Entity exercising private/personal use	
Purpose of private/personal use	strictly private use of the person who makes them
Condition of private/personal use	not intended for collective use

⁶⁴⁶ S 29(1)(c).

⁶⁴⁷ S 36 (excepting use of a database, the reproduction of minor parts of a database, reproduction for backup/archival purposes and for software development purposes).

⁶⁴⁸ S 29(3).

⁶⁴⁹ Ss 69-70 (remuneration for private copying of works, recordings fixed on phonograms, videograms).

⁶⁵⁰ Ss 72-73 (remuneration for private copying of printed works).

⁶⁵¹ S 67(1)(a).

Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration to be paid by manufacturer/importer of recording media used making personal and private reproductions of works or recordings fixed on phonograms or videograms, ⁶⁵² to be payable through CMOs to authors, performers, producers

Provision	s 29(1)(a)
Scope of private/personal use	private performance
Type(s) of source work(s)	work published with authorization of author
Entity exercising private/personal use	
Purpose of private/personal use	strictly within family circles
Condition of private/personal use	no proceeds accruing
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“author ... may not forbid”)

Provision	s 67(1)(a)
Scope of private/personal use	private performance
Type(s) of source work(s)	performance, phonogram, videogram, audiovisual programmes ⁶⁵³
Entity exercising private/personal use	
Purpose of private/personal use	exclusive family setting
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“beneficiaries of [neighbouring] rights ... may not prohibit”)

3. Quotations

Provision	s 29(d)
Scope of quotation	analysis, press reviews, short quotations
Type(s) of source work(s)	work published with authorization of author
Entity exercising quotation	
Purpose of quotation	critical, pedagogic, scientific or informative nature of the work
Condition of quotation	

⁶⁵² Ss 69-70 (remuneration for private copying of works, recordings fixed on phonograms, videograms).

⁶⁵³ S 67(1)(a).

Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required (“author ... may not forbid”)

Provision	s 67(1)(c)
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	performance, phonogram, videogram, audiovisual programmes ⁶⁵⁴
Entity exercising quotation	
Purpose of quotation	critical, controversial, pedagogic, scientific or informative nature of the work containing them
Condition of quotation	analyses and short quotations made necessary by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required (“beneficiaries of [neighbouring] rights ... may not prohibit”)

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 29(1)(e)
Scope of anthologies/compilations limitation/exception	use through publication
Type(s) of source work(s)	literary or artistic works published with authorization of author
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as teaching illustration
Condition of anthologies/compilations limitation/exception	use is fair and non-profit making
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required (“author ... may not forbid”)

6. School Performances

Provision	s 29(1)(b)
Scope of school performance	performance
Type(s) of source work(s)	work published with authorization of author
Entity exercising school performance	
Purpose of school performance	educational and academic purposes
Condition of school performance	performances given free of charge performances within premises reserved for such

⁶⁵⁴ S 67(1).

	purposes
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not forbid")

7. Educational Broadcasts/Communications/Recordings

Provision	s 29(1)(e)
Scope of broadcast/communication/recording	use through broadcast programmes or sound or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as teaching illustration
Condition of broadcast/communication/recording	use is fair and non-profit making
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not forbid")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Canada

1. Legislation Reviewed

Copyright Act (R.S.C., 1985, c. C-42)

2. Private/Personal Use

Provision	s 29
Scope of private/personal use	fair dealing
Type(s) of source work(s)	work, performance, sound recording, broadcast (communication signal)
Entity exercising private/personal use	
Purpose of private/personal use	research, private study, education
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

Provision	s 29.22
Scope of private/personal use	reproduce
Type(s) of source work(s)	(whole or any substantial part of) work, subject matter
Entity exercising private/personal use	an individual
Purpose of private/personal use	reproduction is used only for individual’s private purposes
Condition of private/personal use	copy of source work/subject matter is not an infringing copy entity legally obtained copy of source work/subject matter, other than by borrowing or renting it, and owns or is authorised to use medium/device ⁶⁵⁵ on which source was reproduced entity did not circumvent, or cause to be circumvented, TPMs, when making reproduction entity does not give reproduction away
Frequency/copies and limits	
Preclusions (not part of private/personal use)	source work/subject matter as a musical work embodied in a sound recording, performance of a musical work embodied in a sound recording or a

⁶⁵⁵ S 29.22(2) (defining medium or device as including digital memory in which a work/subject-matter may be stored for purpose of allowing the telecommunication of the work/subject-matter through the Internet or other digital network).

	<p>sound recording in which a musical work/performance of a musical work is embodied, where reproduction is made onto audio recording medium in s 79 (see below)</p> <p>entity gives away, rents or sells copy of work/subject matter from which reproduction is made without first destroying all reproductions of that copy made under this provision</p>
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 80
Scope of private/personal use	reproduce, onto audio recording medium
Type(s) of source work(s)	(whole or any substantial part of) a musical work embodied in a sound recording, a performance of a musical work embodied in a sound recording or a sound recording in which a musical work/performance of a musical work is embodied
Entity exercising private/personal use	a person
Purpose of private/personal use	reproduction for entity's (as person who makes the copy) private use
Condition of private/personal use	<p>copy of source work/subject matter is not an infringing copy</p> <p>entity legally obtained copy of source work/subject matter, other than by borrowing or renting it, and owns or is authorised to use medium/device on which source was reproduced</p> <p>entity did not circumvent, or cause to be circumvented, TPMs, when making reproduction</p> <p>entity does not give reproduction away</p>
Frequency/copies and limits	
Preclusions (not part of private/personal use)	<p>act of reproduction is done for purpose of doing any of the following:</p> <ul style="list-style-type: none"> - selling or renting out, or by way of trade, exposing or offering for sale or rental; - distributing, whether or not for the purpose of trade; - communicating to the public by telecommunication; or - performing, or causing to be performed, in public.
Subject to Attribution	
Subject to Remuneration	remuneration for reproduction, by levy on manufacturer/importer of blank audio recording media, ⁶⁵⁶ payable to, among others, CMOs to be

⁶⁵⁶ s 82. Sales or disposals of blank audio recordia media to societies etc. that represent persons with a perceptual disability are exempted. s 86.

	distributed to authors, performers and sound recording makers ⁶⁵⁷
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Provision	s 30.01(5)
Scope of private/personal use	reproduction
Type(s) of source work(s)	lesson (pursuant to s 30.01(3)(a)), received by means of communication by telecommunication
Entity exercising private/personal use	a student
Purpose of private/personal use	in order to be able to listen to or view it at a more convenient time
Condition of private/personal use	student to destroy reproduction within 30 days after day of final course evaluations
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 30.02(2)
Scope of private/personal use	print
Type(s) of source work(s)	digital reproduction communicated by telecommunications
Entity exercising private/personal use	person (to whom work has been communicated under s 30.02(1)(b)) acting under authority of educational institution
Purpose of private/personal use	
Condition of private/personal use	see s 30.02 discussion
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	see s 30.02 discussion ⁶⁵⁸

3. Quotations

Provision	s 29.1
Scope of quotation	fair dealing
Type(s) of source work(s)	work, performance, sound recording, broadcast (communication signal)
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author, performer, maker, broadcaster (if in source)
Subject to Remuneration	not required ("does not infringe copyright")

⁶⁵⁷ s 83 (CMOs may file proposed tariff for consideration and approval by the Board); s 84 (CMOs to distribute collected levies to collective societies representing eligible authors, performers and makers).

⁶⁵⁸ s 30.02(8) (providing that copyright owner may not recover any damages against entity, if at time of printing, it was reasonable for entity to believe that communication was made in accordance with s 30.02(1)(b)).

4. Research/Educational Reproduction

Provision	s 29
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	work, performance, sound recording, broadcast (communication signal)
Entity exercising reproduction	
Purpose of educational reproduction	education
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“does not infringe copyright”)

Provision	s 29.4(1)
Scope of research/educational reproduction	reproduce, or do any other necessary act, in order to display
Type(s) of source work(s)	work
Entity exercising reproduction	educational institution or a person acting under its authority
Purpose of educational reproduction	education or training on premises of educational institution
Condition of reproduction	action may not be carried out with motive of gain ⁶⁵⁹ (except for manual reproduction) work is not “commercially available” ⁶⁶⁰ in a medium appropriate for test or examination ⁶⁶¹
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement of copyright”)

Provision	s 29.4(2)(a)
Scope of research/educational reproduction	reproduce, translate or perform in public
Type(s) of source work(s)	work, subject-matter
Entity exercising reproduction	educational institution or person acting under its authority
Purpose of educational reproduction	required for a test or examination
Condition of reproduction	action may not be carried out with motive of gain ⁶⁶²

⁶⁵⁹ S 29.3(1). s 29.3(2) (providing that cost recovery does not equate with motive of gain).

⁶⁶⁰ s 2 (defining “commercially available” as available on the Canadian market within a reasonable time and for a reasonable price and may be located with reasonable effort, or for which a licence to reproduce, perform or communicate is available from a collective society within a reasonable time and for a reasonable price and may be located with reasonable effort).

⁶⁶¹ S 29.4(3).

⁶⁶² S 29.3(1). s 29.3(2) (providing that cost recovery does not equate with motive of gain).

	(except for manual reproduction) work/subject-matter is not “commercially available” ⁶⁶³ in a medium appropriate for test or examination ⁶⁶⁴
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“not an infringement of copyright”)

Provision	s 29.7
Scope of research/educational reproduction	make, at the time of its communication to the public by telecommunication, a single copy of, and keep copy for up to 30 days
Type(s) of source work(s)	a work/subject-matter
Entity exercising reproduction	educational institution or person acting under its authority
Purpose of educational reproduction	retention of copy for up to 30 days to decide whether to perform copy for educational or training purposes
Condition of reproduction	compliance with terms and conditions fixed under Copyright Act for making of copy ⁶⁶⁵ keep record of information prescribed by regulation in relation to making of copy, its destruction or any performance in public of it for which royalties are payable, and mark copy in manner prescribed by regulation ⁶⁶⁶ communication to public by telecommunication was received by lawful means ⁶⁶⁷
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	royalties payable on copyright in work/subject-matter if copy not destroyed at expiration of 30 days; otherwise not required (“not an infringement of copyright”)

Provision	s 30.02(a)
Scope of research/educational reproduction	make a digital reproduction or do any other necessary act
Type(s) of source work(s)	paper form of work

⁶⁶³ s 2 (defining “commercially available” as available on the Canadian market within a reasonable time and for a reasonable price and may be located with reasonable effort, or for which a licence to reproduce, perform or communicate is available from a collective society within a reasonable time and for a reasonable price and may be located with reasonable effort).

⁶⁶⁴ S 29.4(3).

⁶⁶⁵ S 29.7(2).

⁶⁶⁶ S 29.9.

⁶⁶⁷ S 29.8.

Entity exercising reproduction	educational institution that has a reprographic reproduction licence under which institution is authorized to make reprographic reproductions of works in CMO's repertoire for educational or training purposes
Purpose of educational reproduction	for educational or training purposes ⁶⁶⁸
Condition of reproduction	<p>comply with licence terms and conditions applicable to reprographic reproduction to extent that they are reasonably applicable to digital reproduction⁶⁶⁹</p> <p>no digital reproduction if:</p> <ul style="list-style-type: none"> - entity has entered into digital reproduction agreement with CMO under which entity may make digital reproduction/communication/permit persons acting under authority to print at least one copy of work⁶⁷⁰ - there is s 70.15 certified tariff applicable to digital reproduction/ communication/permit persons acting under authority to print at least one copy of work⁶⁷¹ - entity has been informed by CMO that copyright owner has informed it that owner refuses to authorize CMO to enter into digital reproduction agreement with respect to that work⁶⁷²
Frequency/copies and limits	<p>entity to take measures to:</p> <ul style="list-style-type: none"> - prevent digital reproduction from being communicated by telecommunication to any persons not acting under authority of entity⁶⁷³ - prevent person to whom work has been communicated from printing more than one copy, and prevent any other reproduction/communication⁶⁷⁴ - take any measure prescribed by regulation
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	royalties payable by educational institution, with respect to all persons to whom digital reproduction

⁶⁶⁸ S 30.02(1)(a) (referring to digital reproduction "of the same general nature and extent as the reprographic reproduction authorized under the licence", which is one that authorizes the educational institution to do so for an educational or training purpose, as set out in s 30.02(1)); 30.02(1)(b) (referring to the communication for an educational or training purpose).

⁶⁶⁹ S 30.02(3)(a). S 30.03 (setting out the adjustments to be made to royalties paid under s 30.02 if educational institution as entity subsequently enters into digital reproduction agreement with any CMO or if a subsequent tariff applies); S 30.02(7) (limiting the damages payable by entity to greatest amount of royalties payable under reprographic reproduction licences).

⁶⁷⁰ S 30.02(4)(a).

⁶⁷¹ S 30.02(4)(b).

⁶⁷² S 30.02(4)(c). s 30.02(5) (setting out the rights of copyright owner to inform CMO of objects to authorization of digital reproduction agreements for work); 30.02(6) (deeming owner who has authorised CMO to enter into reprographic reproduction agreement to also authorize CMO to enter into digital reproduction agreement).

⁶⁷³ S 30.02(3)(b).

⁶⁷⁴ S 30.02(3)(c).

	is communicated as if one reprographic reproduction were distributed to each of those persons, to CMO ⁶⁷⁵
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Provision	s 30.04(a)
Scope of research/educational reproduction	reproduce, or do any other act that is necessary
Type(s) of source work(s)	work, subject-matter that is available on the Internet
Entity exercising reproduction	educational institution or person acting under its authority
Purpose of educational reproduction	educational or training purposes
Condition of reproduction	"public" primarily consists of students of educational institution or other persons acting under its authority
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	work/subject-matter/Internet site is protected by TPM that restricts access to, or reproduction/communication/ performance of work/subject-matter ⁶⁷⁶ "clearly visible notice" ⁶⁷⁷ (and not merely copyright symbol) prohibits that act is posted on Internet site where work/subject-matter is posted or on work/subject-matter itself ⁶⁷⁸ entity knows or should have known that work/subject-matter was made available on Internet without consent of copyright owner ⁶⁷⁹
Subject to Attribution	source, author, performer, maker, broadcaster (if in source)
Subject to Remuneration	not required ("not an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 30
Scope of anthologies/compilations limitation/exception	publication in a collection, mainly composed of non-copyright matter
Type(s) of source work(s)	short passages from published literary works in which copyright subsists and not themselves published for use of educational institutions
Entity exercising anthologies/compilations	publisher

⁶⁷⁵ S 30.02(3)(a). S 30.03 (setting out the adjustments to be made to royalties paid under s 30.02 if educational institution as entity subsequently enters into digital reproduction agreement with any CMO or if a subsequent tariff applies); S 30.02(7) (limiting the damages payable by entity to greatest amount of royalties payable under reprographic reproduction licences).

⁶⁷⁶ Ss 30.04(3), 30.04(4)(a).

⁶⁷⁷ S 30.04(6) (prescribing regulations as to what constitutes a clearly visible notice).

⁶⁷⁸ S 30.04(4)(b).

⁶⁷⁹ S 30.04(5).

limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for use of educational institutions
Condition of anthologies/compilations limitation/exception	described in title and in any advertisements issued by publisher, to be intended for use of educational institutions
Frequency/copies and limits	not more than 2 passages from works by same author published by same publisher within 5 years
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source [of passages], name of author (if available)
Subject to Remuneration	not required ("does not infringe copyright")

6. School Performances

Provision	s 29.5(a)
Scope of school performance	live performance in public, primarily by students
Type(s) of source work(s)	work
Entity exercising school performance	an educational institution or a person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	performance on "premises" ⁶⁸⁰ of an educational institution performance not for profit and without motive of gain ⁶⁸¹ an audience consisting primarily of students of educational institution, instructors acting under authority of the educational institution or any person who is directly responsible for setting a curriculum for educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.5(b)
Scope of school performance	performance in public
Type(s) of source work(s)	a sound recording or a work or performer's performance that is embodied in a sound recording
Entity exercising school performance	an educational institution or a person acting

⁶⁸⁰ S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition "educational institution" is provided, controlled or supervised by the educational institution).

⁶⁸¹ S 29.3(1).

	under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	<p>sound recording is not an infringing copy or person responsible has no reasonable grounds to believe it is an infringing copy</p> <p>performance on “premises”⁶⁸² of an educational institution</p> <p>performance not for profit and without motive of gain⁶⁸³</p> <p>an audience consisting primarily of students of educational institution, instructors acting under authority of the educational institution or any person who is directly responsible for setting a curriculum for educational institution</p>
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.5(c)
Scope of school performance	performance in public at the time of its “communication to the public by telecommunication” ⁶⁸⁴
Type(s) of source work(s)	work/subject-matter
Entity exercising school performance	an educational institution or a person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	<p>performance on “premises”⁶⁸⁵ of an educational institution</p> <p>performance not for profit and without motive of gain⁶⁸⁶</p> <p>an audience consisting primarily of students of educational institution, instructors acting under authority of the educational institution or any person who is directly responsible for setting a curriculum for educational institution</p>

⁶⁸² S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition “educational institution” is provided, controlled or supervised by the educational institution).

⁶⁸³ S 29.3(1).

⁶⁸⁴ S 2.4(1.1) (defining “communication to the public by telecommunication” as including making it available to the public by telecommunication in a way that allows a member of the public to have access to it from a place and at a time individually chosen by that member of the public).

⁶⁸⁵ S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition “educational institution” is provided, controlled or supervised by the educational institution).

⁶⁸⁶ S 29.3(1).

	communication to public by telecommunication was received by lawful means ⁶⁸⁷
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.5(d)
Scope of school performance	performance in public
Type(s) of source work(s)	cinematographic work
Entity exercising school performance	an educational institution or a person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	work is not an infringing copy or person responsible has no reasonable grounds to believe it is an infringing copy performance on "premises" ⁶⁸⁸ of an educational institution performance not for profit and without motive of gain ⁶⁸⁹ an audience consisting primarily of students of educational institution, instructors acting under authority of the educational institution or any person who is directly responsible for setting a curriculum for educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.6(1)(b)
Scope of school performance	performance in public
Type(s) of source work(s)	copy of a news program or a news commentary program, excluding documentaries
Entity exercising school performance	an educational institution or a person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	performance on "premises" ⁶⁹⁰ of an educational institution an audience consisting primarily of students of

⁶⁸⁷ S 29.8.

⁶⁸⁸ S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition "educational institution" is provided, controlled or supervised by the educational institution).

⁶⁸⁹ S 29.3(1).

⁶⁹⁰ S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition "educational institution" is provided, controlled or supervised by the educational institution).

	educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.7(3)
Scope of school performance	performance in public
Type(s) of source work(s)	copy of a work/subject-matter [made under s 29.7(1)]
Entity exercising school performance	an educational institution or a person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	performance on "premises" ⁶⁹¹ of an educational institution an audience consisting primarily of students of educational institution educational institution complies with any terms and conditions fixed under Copyright Act for performance in public
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	royalties payable by educational institution

Provision	s 30.04(c)
Scope of school performance	perform in "public", or do any other act that is necessary
Type(s) of source work(s)	work, subject-matter that is available on the Internet
Entity exercising school performance	educational institution or person acting under its authority
Purpose of school performance	educational or training purposes
Condition of school performance	"public" primarily consists of students of educational institution or other persons acting under its authority
Preclusions (not part of school performance)	work/subject-matter/Internet site is protected by TPM that restricts access to, or reproduction/communication/ performance of work/subject-matter ⁶⁹² "clearly visible notice" ⁶⁹³ (and not merely copyright symbol) prohibits that act is posted on

⁶⁹¹ S 2 (defining premises to mean, in relation to an educational institution, a place where education or training referred to in the definition "educational institution" is provided, controlled or supervised by the educational institution).

⁶⁹² Ss 30.04(3), 30.04(4)(a).

⁶⁹³ S 30.04(6) (prescribing regulations as to what constitutes a clearly visible notice).

	Internet site where work/subject-matter is posted or on work/subject-matter itself ⁶⁹⁴ entity knows or should have known that work/subject-matter was made available on Internet without consent of copyright owner ⁶⁹⁵
Subject to Attribution	source, author, performer, maker, broadcaster (if in source)
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 32.2(3)
Scope of school performance	(a): live performance in public (b), (c): performance in public
Type(s) of source work(s)	(a) a musical work (b) a sound recording embodying a musical work or a performer's performance of a musical work (c) a communication signal carrying (i) live performance in public of a musical work, or (ii) sound recording embodying a musical work or a performer's performance of a musical work
Entity exercising school performance	an educational institution
Purpose of school performance	in furtherance of an educational object
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("no ... liable to pay any compensation")

7. Educational Broadcasts/Communications/Recordings

Provision	s 29.6(1)(a)
Scope of broadcast/communication/recording	make, at the time of its communication to the public by telecommunication
Type(s) of source work(s)	a news program or a news commentary program, excluding documentaries
Entity exercising broadcast/communication/recording	educational institution or person acting under its authority
Purpose of broadcast/communication/recording	for purposes of performing the copy for students of educational institution for educational or training purposes
Condition of broadcast/communication/recording	communication to public by telecommunication [of news program/commentary program] was received by lawful means ⁶⁹⁶
Frequency/limits of broadcast/communication/recording	a single copy
Preclusions (not part of	

⁶⁹⁴ S 30.04(4)(b).

⁶⁹⁵ S 30.04(5).

⁶⁹⁶ S 29.8.

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 29.4(2)(b)
Scope of broadcast/communication/recording	communicate by telecommunication to the public situated on the premises of the educational institution
Type(s) of source work(s)	work, subject-matter
Entity exercising broadcast/communication/recording	educational institution or person acting under its authority
Purpose of broadcast/communication/recording	required for a test or examination
Condition of broadcast/communication/recording	action may not be carried out with motive of gain ⁶⁹⁷ (except for manual reproduction) work/subject-matter is not "commercially available" ⁶⁹⁸ in a medium appropriate for test or examination ⁶⁹⁹
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 30.01
Scope of broadcast/communication/recording	communicate lesson to the public, ⁷⁰⁰ make a fixation of lesson thereof, ⁷⁰¹ and do any other act that is necessary ⁷⁰²
Type(s) of source work(s)	work, subject-matter
Entity exercising broadcast/communication/recording	educational institution or person acting under its authority
Purpose of broadcast/communication/recording	educational or training purposes
Condition of broadcast/communication/recording	in relation to communication by telecommunication in digital form, take any measure prescribed by regulation ⁷⁰³
Frequency/limits of broadcast/communication/recording	public consisting only of students who are enrolled in a course of which the lesson forms a

⁶⁹⁷ S 29.3(1), s 29.3(2) (providing that cost recovery does not equate with motive of gain).

⁶⁹⁸ s 2 (defining "commercially available" as available on the Canadian market within a reasonable time and for a reasonable price and may be located with reasonable effort, or for which a licence to reproduce, perform or communicate is available from a collective society within a reasonable time and for a reasonable price and may be located with reasonable effort).

⁶⁹⁹ S 29.4(3).

⁷⁰⁰ S 30.01(3)(a).

⁷⁰¹ S 30.01(3)(b).

⁷⁰² S 30.01(3)(c).

⁷⁰³ S 30.03(6)(d).

	<p>part or of other persons acting under the authority of the educational institution⁷⁰⁴</p> <p>destroy any fixation of lesson within 30 days after day of final course evaluations of students⁷⁰⁵</p> <p>in relation to communication of lesson to public, take measures that can reasonably be expected to limit communication by telecommunication of lesson to persons⁷⁰⁶</p> <p>in relation to communication by telecommunication of lesson in digital form, take measures that can reasonably be expected to prevent students from fixing, reproducing or communicating lesson other than they may do under this provision⁷⁰⁷</p>
Preclusions (not part of broadcast/communication/recording)	work/subject-matter whose use in lesson constitutes an infringement of copyright or for whose use in lesson, consent of copyright owner is required ⁷⁰⁸
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

Provision	s 30.02(1)(b)
Scope of broadcast/communication/recording	communicate digital reproduction by telecommunication to "persons acting under the authority of the institution", or do any other necessary act
Type(s) of source work(s)	paper form of work
Entity exercising broadcast/communication/recording	educational institution that has a reprographic reproduction licence under which institution is authorized to make reprographic reproductions of works in CMO's repertoire for educational or training purposes
Purpose of broadcast/communication/recording	for educational or training purposes ⁷⁰⁹
Condition of broadcast/communication/recording	comply with licence terms and conditions applicable to reprographic reproduction to extent that they are reasonably applicable to digital reproduction ⁷¹⁰

⁷⁰⁴ S 30.01(4) (deeming students who are enrolled in course of which lesson forms a part to be a person on premises of educational institution).

⁷⁰⁵ S 30.03(6)(a).

⁷⁰⁶ S 30.03(6)(b).

⁷⁰⁷ S 30.03(6)(c).

⁷⁰⁸ S 30.01(2).

⁷⁰⁹ S 30.02(1)(a) (referring to digital reproduction "of the same general nature and extent as the reprographic reproduction authorized under the licence", which is one that authorizes the educational institution to do so for an educational or training purpose, as set out in s 30.02(1)); 30.02(1)(b) (referring to the communication for an educational or training purpose).

⁷¹⁰ S 30.02(3)(a). S 30.03 (setting out the adjustments to be made to royalties paid under s 30.02 if educational institution as entity subsequently enters into digital reproduction agreement with any CMO or if a subsequent tariff

	<p>entity to take any measure prescribed by regulation</p> <p>no digital reproduction if:</p> <ul style="list-style-type: none"> - entity has entered into digital reproduction agreement with CMO under which entity may make digital reproduction/communication/permit persons acting under authority to print at least one copy of work⁷¹¹ - there is s 70.15 certified tariff applicable to digital reproduction/ communication/permit persons acting under authority to print at least one copy of work⁷¹² - entity has been informed by CMO that copyright owner has informed it that owner refuses to authorize CMO to enter into digital reproduction agreement with respect to that work⁷¹³
Frequency/limits of broadcast/communication/recording	<p>take measures to prevent digital reproduction from being communicated by telecommunication to any persons not acting under authority of entity⁷¹⁴</p> <p>take measures to prevent person to whom work has been communicated from printing more than one copy, and prevent any other reproduction/communication⁷¹⁵</p>
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	royalties payable by educational institution, with respect to all persons to whom digital reproduction is communicated as if one reprographic reproduction were distributed to each of those persons, to CMO ⁷¹⁶

Provision	s 30.04(b)
Scope of broadcast/communication/recording	communicate to the "public" by telecommunication, or do any other act that is necessary

applies); S 30.02(7) (limiting the damages payable by entity to greatest amount of royalties payable under reprographic reproduction licences).

⁷¹¹ S 30.02(4)(a).

⁷¹² S 30.02(4)(b).

⁷¹³ S 30.02(4)(c). s 30.02(5) (setting out the rights of copyright owner to inform CMO of objects to authorization of digital reproduction agreements for work); 30.02(6) (deeming owner who has authorised CMO to enter into reprographic reproduction agreement to also authorize CMO to enter into digital reproduction agreement).

⁷¹⁴ S 30.02(3)(b).

⁷¹⁵ S 30.02(3)(c).

⁷¹⁶ S 30.02(3)(a). S 30.03 (setting out the adjustments to be made to royalties paid under s 30.02 if educational institution as entity subsequently enters into digital reproduction agreement with any CMO or if a subsequent tariff applies); S 30.02(7) (limiting the damages payable by entity to greatest amount of royalties payable under reprographic reproduction licences).

Type(s) of source work(s)	work, subject-matter that is available on the Internet
Entity exercising broadcast/communication/recording	educational institution or person acting under its authority
Purpose of broadcast/communication/recording	educational or training purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	“public” primarily consists of students of educational institution or other persons acting under its authority
Preclusions (not part of broadcast/communication/recording)	work/subject-matter/Internet site is protected by TPM that restricts access to, or reproduction/communication/ performance of work/subject-matter ⁷¹⁷ “clearly visible notice” ⁷¹⁸ (and not merely copyright symbol) prohibits that act is posted on Internet site where work/subject-matter is posted or on work/subject-matter itself ⁷¹⁹ entity knows or should have known that work/subject-matter was made available on Internet without consent of copyright owner ⁷²⁰
Subject to Attribution	source, author, performer, maker, broadcaster (if in source)
Subject to Remuneration	not required ("not an infringement of copyright")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 30.62
Scope of TPM/RMI exception	reproduce
Type(s) of source work(s)	a work/subject matter, lawfully obtained
Beneficiary exercising exception	a person
Purpose of exception	encryption research
Condition of exception	not practical to carry out research without making copy person has informed copyright owner of work/subject matter person does not use information obtained through research to commit an act that is an offence under the Criminal Code

⁷¹⁷ Ss 30.04(3), 30.04(4)(a).⁷¹⁸ S 30.04(6) (prescribing regulations as to what constitutes a clearly visible notice).⁷¹⁹ S 30.04(4)(b).⁷²⁰ S 30.04(5).

	if research reveals a vulnerability/security flaw in computer program as work/subject matter, and person intends to make it public, person must give adequate notice of flaw and intention to copyright owner in computer program, unless public interest in having vulnerability/security flaw made public without adequate notice outweighs owner's interest
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Provision	s 30.63
Scope of TPM/RMI exception	reproduce
Type(s) of source work(s)	a work/subject matter
Beneficiary exercising exception	a person
Purpose of exception	sole purpose, with consent of owner or administrator of a computer, computer system or computer network, of assessing vulnerability of computer, system or network or of correcting any security flaws
Condition of exception	<p>person does not use or disclose information obtained through assessment/correction to commit an act that is an offence under the Criminal Code</p> <p>if assessment/correction reveals a vulnerability/security flaw in computer program as work/subject matter, and person intends to make it public, person must give adequate notice of flaw and intention to copyright owner in computer program, unless public interest in having vulnerability/security flaw made public without adequate notice outweighs owner's interest</p>

Provision	s 41.13(1)
Scope of TPM/RMI exception	circumvention TPM by means of decryption
Type(s) of source work(s)	work, performance fixed in sound recording or sound recording that is protected by TPM
Beneficiary exercising exception	a person
Purpose of exception	encryption research
Condition of exception	<p>not practical to carry out research without circumventing TPM⁷²¹</p> <p>beneficiary has lawfully obtained source work, sound recording⁷²²</p> <p>beneficiary has informed copyright owner who has applied the TPM⁷²³</p> <p>beneficiary does not do any act that constitutes</p>

⁷²¹ S 41.13(1)(a).

⁷²² S 41.13(1)(b).

⁷²³ S 41.13(1)(c).

	an infringement of copyright or any act that contravenes any Act of Parliament or any Act of the legislature of a province ⁷²⁴
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Provision	s 41.13(3)
Scope of TPM/RMI exception	manufacture, import, distribute, offer for sale or rental or provide – including by selling or renting – any technology, device or component (i) designed or produced primarily for the purpose of circumventing a TPM, (ii) whose uses or purposes are not commercially significant, other than when used for purposes of circumventing TPMs or (iii) marketed or acts with another to market, as being for the purpose of circumventing a TPM ⁷²⁵
Type(s) of source work(s)	
Beneficiary exercising exception	manufacturer
Purpose of exception	encryption research
Condition of exception	beneficiary uses that technology, device or component only for that purpose, or provides the same to collaborator ⁷²⁶

Provision	s 41.15(1)
Scope of TPM/RMI exception	circumvention TPM
Type(s) of source work(s)	
Beneficiary exercising exception	a person
Purpose of exception	sole purpose, with consent of owner or administrator of a computer, computer system or computer network, of assessing vulnerability of computer, system or network or of correcting any security flaws
Condition of exception	beneficiary does not do any act that constitutes an infringement of copyright or any act that contravenes any Act of Parliament or any Act of the legislature of a province ⁷²⁷

Provision	s 41.15(2)
Scope of TPM/RMI exception	offering to the public or providing services for circumvention TPM ⁷²⁸
Type(s) of source work(s)	
Beneficiary exercising exception	a person
Purpose of exception	sole purpose, with consent of owner or administrator of a computer, computer system or computer network, of assessing vulnerability of computer, system or network or of correcting any

⁷²⁴ S 41.13(2).

⁷²⁵ S 41.1(1)(c) (referring to manufacturer, importer, distributor, seller, rentor, marketer etc., but s 41.13(3) limits exception only to manufacturer)

⁷²⁶ S 41.13(3)(a), (b).

⁷²⁷ S 41.15(4).

⁷²⁸ S 41.15(2) (stating exception as one to s 41.1(1)(b)).

	security flaws
Condition of exception	beneficiary does not do any act that constitutes an infringement of copyright or any act that contravenes any Act of Parliament or any Act of the legislature of a province ⁷²⁹
Provision	s 41.15(3)
Scope of TPM/RMI exception	manufacturing, importing, any technology, device or component for circumvention of TPM, by beneficiary ⁷³⁰ , or manufacturing, importing, providing (including by selling or renting), offering for sale or rental, distributing as a service, for beneficiary
Type(s) of source work(s)	
Beneficiary exercising exception	a person
Purpose of exception	sole purpose, with consent of owner or administrator of a computer, computer system or computer network, of assessing vulnerability of computer, system or network or of correcting any security flaws
Condition of exception	beneficiary does not do any act that constitutes an infringement of copyright or any act that contravenes any Act of Parliament or any Act of the legislature of a province ⁷³¹

⁷²⁹ S 41.15(4).

⁷³⁰ S 41.15(3) (beneficiary is person who is permitted to circumvent under s 41.15(1)).

⁷³¹ S 41.15(4).

Central African Republic

10. Legislation Reviewed

Ordinance No. 85.002 on Copyrights dated 5 January 1985

11. Private/Personal Use

12. Quotations

13. Research/Educational Reproduction

Provision	Art. 17
Scope of research/educational reproduction	translation or reproduction
Type(s) of source work(s)	any kind of works already made lawfully available to the public
Entity exercising reproduction	[inter alia] scientific institutions and educational institutions
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	in the number of copies needed for their activity
Preclusions (not part of research/educational reproduction)	translation or reproduction does not conflict with the normal exploitation of the work and does not prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("are lawful")

14. Educational Publications/Anthologies/Compilations/Composite Works

15. School Performances

16. Educational Broadcasts/Communications/Recordings

17. Compulsory Licences for Educational Reproductions and Translations

18. TPM/RMI Exceptions for Educational Purposes

Chad

1. Legislation Reviewed

Law No. 005/PR/2003 of May 2nd, 2003 on the Protection of Copyright, Neighboring rights and Expressions of Folklore

2. Private/Personal Use

Provision	Art. 34.1
Scope of private/personal use	private performance
Type(s) of source work(s)	a lawfully disclosed work, (performance, phonogram, videogram, broadcast) ⁷³²
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within family circle
Condition of private/personal use	performance given free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 34.2
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a lawfully disclosed work, (performance, phonogram, videogram, broadcast) ⁷³³
Entity exercising private/personal use	
Purpose of private/personal use	strictly for private use of copier
Condition of private/personal use	not intended for collective use, with the exception of copies of works of art intended to be used for purposes identical to those for which original work was created
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration in the form of levies paid by manufacturer/importer of recording media that can be used for reproduction for private use of works fixed in phonograms and videograms, to be paid to authors, phonogram and videogram producers and performers ⁷³⁴

3. Quotations

Provision	Art. 34.3(a)
Scope of quotation	analyses and short quotations

⁷³² Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

⁷³³ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

⁷³⁴ Arts. 113, 114.

Type(s) of source work(s)	works, (performance, phonogram, videogram, broadcast) ⁷³⁵
Entity exercising quotation	
Purpose of quotation	critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("author may not prohibit")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 34.5
Scope of anthologies/compilations limitation/exception	use by means of publication
Type(s) of source work(s)	lawfully disclosed literary or artistic works, (performance, phonogram, videogram, broadcast) ⁷³⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching examples
Condition of anthologies/compilations limitation/exception	use is not improper and is not for profitmaking purposes
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 34.5
Scope of broadcast/communication/recording	use by means of broadcasting or audio or visual recording
Type(s) of source work(s)	lawfully disclosed literary or artistic works, (performance, phonogram, videogram, broadcast) ⁷³⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching examples

⁷³⁵ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

⁷³⁶ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

⁷³⁷ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

Condition of broadcast/communication/recording	use is not improper and is not for profitmaking purposes
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Chile

1. Legislation Reviewed

Law No. 17.336 on Intellectual Property, as revised by Law No. 20.435 (Apr. 23, 2010), w.e.f. May 24, 2010

2. Private/Personal Use

Provision	Art. 71N
Scope of private/personal use	use
Type(s) of source work(s)	a work, including phonograms
Entity exercising private/personal use	
Purpose of private/personal use	within the family circle
Condition of private/personal use	use is not for profit
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be considered communication or public performance of the work")

Provision	Art. 71R
Scope of private/personal use	translate
Type(s) of source work(s)	lawfully acquired works originally written in a foreign language
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

3. Quotations

Provision	Art. 71B
Scope of quotation	include in a work
Type(s) of source work(s)	brief fragments of a protected work that has been lawfully disclosed
Entity exercising quotation	
Purpose of quotation	quotation or for the purposes of criticism, illustration, teaching or research
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, title, author

Subject to Remuneration	not required ("without paying")
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Provision	Art. 71Q
Scope of quotation	use
Type(s) of source work(s)	a protected work (not audiovisual works of a documentary nature)
Entity exercising quotation	
Purpose of quotation	criticism, commentary
Condition of quotation	use does not constitute disguised use of the protected work use to be incidental or exceptional
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

4. Research/Educational Reproduction

Provision	Art. 71Q
Scope of research/educational reproduction	use
Type(s) of source work(s)	a protected work (not audiovisual works of a documentary nature)
Entity exercising reproduction	
Purpose of educational reproduction	commentary, teaching, academic or research interest
Condition of reproduction	
Frequency/copies and limits	use to be incidental or exceptional
Preclusions (not part of research/educational reproduction)	use does not constitute disguised use of the protected work
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

Provision	Art. 71F
Scope of research/educational reproduction	reproduction through photography, cinema, television or any other similar process
Type(s) of source work(s)	architectural works
Entity exercising reproduction	
Purpose of educational reproduction	educational purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	author's consent required if reproduced in a complete or partial separate collection
Subject to Attribution	
Subject to Remuneration	not required ("not subject to payment")

Provision	Art. 71M
Scope of research/educational reproduction	reproduce and translate

Type(s) of source work(s)	small fragments of publicly disclosed works or isolated works of a three-dimensional, photographic or figurative nature, excluding school textbooks and university manuals
Entity exercising reproduction	
Purpose of educational reproduction	educational purposes, within the framework of formal education or with the consent of the Ministry of Education, solely to illustrate educational activities
Condition of reproduction	reproduction and translation must be warranted and not for profit
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (unless infeasible)
Subject to Remuneration	not required ("without remunerating")

Provision	Art. 71D
Scope of research/educational reproduction	annotating or compiling in any form
Type(s) of source work(s)	courses taught in institutions of higher education, high schools and schools
Entity exercising reproduction	to whom the courses are intended
Purpose of educational reproduction	
Condition of reproduction	no full/partial publication without authorization of lecturer
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 71F
Scope of anthologies/compilations limitation/exception	reproduction through photography, cinema, television or any other similar process, and publication of the corresponding photographs in newspapers, reviews, books and texts
Type(s) of source work(s)	architectural works
Entity exercising anthologies/compilations limitation/exception	anyone
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	author's consent required if reproduced/published in a complete or partial separate collection
Subject to Attribution	

Subject to Remuneration	not required ("free and not subject to payment")
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6. School Performances

Provision	Art. 71N
Scope of school performance	use
Type(s) of source work(s)	a work, including phonograms
Entity exercising school performance	
Purpose of school performance	within the family circle, in educational or charitable establishments, libraries, archive centers or museums
Condition of school performance	use is not for profit
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not be considered ... public performance")

Provision	Art. 71Q
Scope of school performance	use
Type(s) of source work(s)	a protected work (not audiovisual works of a documentary nature)
Entity exercising school performance	
Purpose of school performance	commentary, teaching, academic or research interest
Condition of school performance	use does not constitute disguised use of the protected work use to be incidental or exceptional
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 71N
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a work, including phonograms
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	in [inter alia] educational or charitable establishments
Condition of broadcast/communication/recording	use is not for profit
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	

Subject to Attribution	
Subject to Remuneration	not required ("not be considered communication")

8. Compulsory Licences for Educational Reproductions and Translations

Note:

Art. 71L enables not-for-profit libraries and archive centers to arrange for the translation of works originally written in foreign languages, for research or study purposes by users of the libraries or archive centers, without having to remunerate the copyright holder or obtain his authorization. This is unlike the compulsory license regime for educational reproductions and translations in the Berne Convention, where remuneration has to be made.

9. TPM/RMI Exceptions for Educational Purposes

China

1. Legislation Reviewed

Copyright Law of the People's Republic of China of February 26, 2010 (amended up to the Decision of February 26, 2010, by the Standing Committee of the National People's Congress on Amending the Copyright Law of the People's Republic of China)

Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006

2. Private/Personal Use

Provision	Art. 22(1)
Scope of private/personal use	use
Type(s) of source work(s)	another person's published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ⁷³⁸
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal study, research or appreciation
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without payment of remuneration")

3. Quotations

Provision	Art. 22(2)
Scope of quotation	appropriate quotation, in one's own work
Type(s) of source work(s)	another person's published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ⁷³⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 22(6)
Scope of research/educational reproduction	translation, or reproduction of copies
Type(s) of source work(s)	a published work, (typographical design of

⁷³⁸ Art. 22 proviso.

⁷³⁹ Art. 22 proviso.

	publisher, performance, sound recording, video recording, broadcast) ⁷⁴⁰
Entity exercising reproduction	teachers or scientific researchers
Purpose of educational reproduction	use in classroom teaching or scientific research
Condition of reproduction	translation or reproductions are not published for distribution
Frequency/copies and limits	reproduction in a small quantity [of copies]
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 6(3), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
Scope of research/educational reproduction	provision, through information networks
Type(s) of source work(s)	any published works, (performances or audio-visual products) ⁷⁴¹
Entity exercising reproduction	anyone
Purpose of educational reproduction	to support instruction for teaching or scientific research
Condition of reproduction	to be provided to teachers/students and researchers
Frequency/copies and limits	a small quantity of works a small number of teachers/students and researchers
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author ⁷⁴²
Subject to Remuneration	not required ("exempted from ... paying the relevant remunerations")

Provision	Art. 8, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
Scope of research/educational reproduction	use, to provide courseware by disseminating through information networks
Type(s) of source work(s)	providing fragments of works, short written works or musical works, a single work of fine art, or photographic works, (performances or audio-visual products), ⁷⁴³ excluding works whose network dissemination had been previously disallowed by the author ⁷⁴⁴

⁷⁴⁰ Art. 22 proviso.

⁷⁴¹ Art. 11, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁴² Art. 10(2), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁴³ Art. 11, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁴⁴ Art. 10(1), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

Entity exercising reproduction	developer of courseware or long distance educational instructions that have lawfully acquired the courseware
Purpose of educational reproduction	conducting the nine-year compulsory education or state education plan
Condition of reproduction	instruction provided to registered students
Frequency/copies and limits	entity to adopt technical measures to prevent any person other than the registered students from acquiring any of the disseminated source works ⁷⁴⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author ⁷⁴⁶
Subject to Remuneration	remuneration payable by entity to copyright owner in accordance with the Regulations

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 23
Scope of anthologies/compilations limitation/exception	passages, compiled in textbooks
Type(s) of source work(s)	a work, a short written work, musical work, a single work of the fine arts or photographic work which has been published, (typographical design, performance, sound recording, video recording, broadcast) ⁷⁴⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	compiling and publishing textbooks for the nine-year compulsory education and for national education planning
Condition of anthologies/compilations limitation/exception	"other rights enjoyed by the copyright owner in accordance with this Law are not prejudiced"
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	where author declares in advance that use of his work is not permitted
Subject to Attribution	title, author
Subject to Remuneration	remuneration is paid

6. School Performances

Provision	Art. 22(9)
Scope of school performance	live performance

⁷⁴⁵ Art. 10(4), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁴⁶ Art. 10(2), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁴⁷ Art. 23 proviso.

Type(s) of source work(s)	a published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ⁷⁴⁸
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	gratuitous (no fees are charged to the public, nor payments are made to the performers)
Preclusions (not part of school performance)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without payment of remuneration")

Note that limitation here is not restricted to school performances.

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 6(3), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
Scope of broadcast/communication/recording	provision, through information networks
Type(s) of source work(s)	any published works, (performances or audio-visual products) ⁷⁴⁹
Entity exercising broadcast/communication/recording	anyone
Purpose of broadcast/communication/recording	to support instruction for teaching or scientific research
Condition of broadcast/communication/recording	to be provided to teachers/students and researchers
Frequency/limits of broadcast/communication/recording	a small quantity of works a small number of teachers/students and researchers
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author ⁷⁵⁰
Subject to Remuneration	not required ("exempted from ... paying the relevant remunerations")

Provision	Art. 8, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
Scope of broadcast/communication/recording	use, to provide courseware by disseminating through information networks
Type(s) of source work(s)	providing fragments of works, short written works or musical works, a single work of fine art, or photographic works, (performances or audio-visual products), ⁷⁵¹ excluding works

⁷⁴⁸ Art. 22 proviso.

⁷⁴⁹ Art. 11, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁵⁰ Art. 10(2), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁵¹ Art. 11, Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

	whose network dissemination had been previously disallowed by the author ⁷⁵²
Entity exercising broadcast/communication/recording	developer of courseware or long distance educational instructions that have lawfully acquired the courseware
Purpose of broadcast/communication/recording	conducting the nine-year compulsory education or state education plan
Condition of broadcast/communication/recording	instruction provided to registered students
Frequency/limits of broadcast/communication/recording	entity to adopt technical measures to prevent any person other than the registered students from acquiring any of the disseminated source works ⁷⁵³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author ⁷⁵⁴
Subject to Remuneration	remuneration payable by entity to copyright owner in accordance with the Regulations

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 22(11)
Nature of compulsory licence for translation for educational purposes	translation into minority nationality languages
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed as of Oct 10, 1994
Type(s) of source work(s)	published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ⁷⁵⁵ of a Chinese citizen, legal entity or other organization from Han language
Licence applicant/entity	
Purpose of licence	publication and distribution in the country
Condition of licence	attribution of original published work by title, author
Compulsory licence fee(s)	not required ("without payment of remuneration")
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

Note:

This is not a compulsory licence scheme under the Berne Convention.

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 12(1), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
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⁷⁵² Art. 10(1), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁵³ Art. 10(4), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁵⁴ Art. 10(2), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006.

⁷⁵⁵ Art. 22 proviso.

Scope of TPM/RMI exception	circumvention of relevant technical measures
Type(s) of source work(s)	any published work, performance or audio-visual product that can only be acquired through information networks
Beneficiary exercising exception	
Purpose of exception	provision of source work(s) to a small number of people that engage in teaching or scientific research
Condition of exception	techniques, devices or components of the technical measures shall not be provided to any other person other rights as enjoyed by the owner according to law shall not be injured

Provision	Art. 12(4), Regulations on the Protection of the Right to Network Dissemination of Information Networks 2006
Scope of TPM/RMI exception	circumvention of relevant technical measures
Type(s) of source work(s)	
Beneficiary exercising exception	
Purpose of exception	carrying out any testing on the computer as well as its system or the safety performance of the network through the information network
Condition of exception	techniques, devices or components of the technical measures shall not be provided to any other person other rights as enjoyed by the owner according to law shall not be injured

Colombia

1. Legislation Reviewed

Law No. 23 of 1982 (January 28) - On Copyright

2. Private/Personal Use

Provision	Art. 37
Scope of private/personal use	reproduce, by any means
Type(s) of source work(s)	a literary or scientific work, (performance, phonogram, broadcast) ⁷⁵⁶
Entity exercising private/personal use	reproduction to be arranged by party using the work
Purpose of private/personal use	for his private use
Condition of private/personal use	without gainful intent
Frequency/copies and limits	in one single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be lawful")

Article 44. The use of scientific, literary and artistic works in a private residence without gainful intent shall be free.

Provision	Art. 44
Scope of private/personal use	use
Type(s) of source work(s)	scientific, literary and artistic works, (performance, phonogram, broadcast) ⁷⁵⁷
Entity exercising private/personal use	private residence
Purpose of private/personal use	
Condition of private/personal use	without gainful intent
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

3. Quotations

Provision	Art. 31
Scope of quotation	quote an author by transcribing
Type(s) of source work(s)	necessary passages
Entity exercising quotation	

⁷⁵⁶ Art. 178(a) (extending private use exceptions regarding private use to neighbouring rights).

⁷⁵⁷ Art. 178(a) (extending private use exceptions regarding private use to neighbouring rights).

Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	not of such length and continuity that they might reasonably be considered a simulated, substantial reproduction constituting a prejudice for author of [source] work
Subject to Attribution	title, author (if in source)
Subject to Remuneration	where new work is constituted mainly by the inclusion of works of other owners, at request of any interested party, courts shall make an equitable assessment of remuneration payable to each owner

Provision	Art.178(d)
Scope of quotation	quote
Type(s) of source work(s)	short excerpts from (performance, phonogram, broadcast) ⁷⁵⁸
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informatory purpose of such quotations.
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] ... shall not apply")

4. Research/Educational Reproduction

Provision	Art. 40
Scope of research/educational reproduction	noting and collecting
Type(s) of source work(s)	lectures of talks given at establishments of higher, secondary or primary education
Entity exercising reproduction	students, to whom lectures are addressed
Purpose of educational reproduction	
Condition of reproduction	no full/partial publication or reproduction without written authorization of lecturer
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may be freely noted and collected")

5. Educational Publications/Anthologies/Compilations/Composite Works

⁷⁵⁸ Art. 178(d) (extending private use exceptions regarding quotations to neighbouring rights).

Provision	Art. 32
Scope of anthologies/compilations limitation/exception	by illustration in publications
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ⁷⁵⁹ or parts thereof
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes (or scientific research)
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	within the limits justified by the purpose
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be permissible")

6. School Performances

Provision	Art. 164
Scope of school performance	public performance
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	for strictly educational purposes
Condition of school performance	within the grounds or buildings of the educational establishments concerned no admission charge whatever is made
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not be considered public performance")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 32
Scope of broadcast/communication/recording	by illustration in broadcasts or sound or visual recordings by communicating works broadcast for use in schools, education, universities and professional training
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ⁷⁶⁰ or parts thereof
Entity exercising broadcast/communication/recording	
Purpose of	for teaching purposes (or scientific research)

⁷⁵⁹ Art. 178(c) (extending private use exceptions regarding sole use for teaching or scientific research).

⁷⁶⁰ Art. 178(c) (extending private use exceptions regarding sole use for teaching or scientific research).

broadcast/communication/recording	
Condition of broadcast/communication/recording	without gainful intent
Frequency/limits of broadcast/communication/recording	within the limits justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be permissible")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 45
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ⁷⁶¹ compulsory licence, for translation into Spanish and publication (or analogous form) (and broadcasting) ⁷⁶² in Columbia ⁷⁶³
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	(lawfully acquired copy of) ⁷⁶⁴ work or text incorporated in an audiovisual fixation that was prepared and published for sole purpose of systematic instruction ⁷⁶⁵
Licence applicant/entity	
Purpose of licence	for the purpose of teaching, scholarship or research of the work to which the license relates ⁷⁶⁶ for use in broadcasts intended exclusively for teaching or for the dissemination of the results of specialized technical or scientific research to experts in a particular profession ⁷⁶⁷
Condition of licence	work has not been previously translated by copyright owner into Spanish and published in Columbia within 7 years from first publication of the work, or all previous editions in that language are out of print licence applicant has requested and been denied authorization from owner of right of translation, or applicant was unable to find such owner, after due diligence, and applicant has notified the designated national/international information center ⁷⁶⁸

⁷⁶¹ Art. 52.

⁷⁶² Art. 56.

⁷⁶³ Arts. 45, 52.

⁷⁶⁴ Art. 56(a).

⁷⁶⁵ Art. 57.

⁷⁶⁶ Art. 52(a).

⁷⁶⁷ Art. 52(b), (c).

⁷⁶⁸ Art. 47(c), (d).

	<p>where owner of right of translation is known or located, owner is to be given an opportunity to be heard before a licence can be granted⁷⁶⁹</p> <p>no licence granted if author withdraws all copies of work from circulation⁷⁷⁰</p> <p>all copies published have to include the original title and name of author of the work and notice in Spanish stating that copy is available for sale or distribution only within Columbia⁷⁷¹</p> <p>subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of translated work under the same conditions, display, form and content or for a price similar to licensee's edition⁷⁷²</p>
Compulsory licence fee(s)	just compensation to owner of right of translation ⁷⁷³
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

Provision	Art. 58
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, non-transferable ⁷⁷⁴ compulsory licence, for reproduction and publication (or analogous form) (and in audiovisual form) ⁷⁷⁵ in Columbia ⁷⁷⁶ and not for export
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	work, or or text incorporated in an audiovisual fixation that was prepared and published for sole purpose of systematic instruction ⁷⁷⁷
Licence applicant/entity	
Purpose of licence	for use in connection with systematic instructional activities ⁷⁷⁸ for use in audiovisual form in connection with systematic instructional activities ⁷⁷⁹
Condition of licence	for works of technology and of the natural and

⁷⁶⁹ Art. 48.⁷⁷⁰ Art. 51.⁷⁷¹ Art. 54.⁷⁷² Art. 55.⁷⁷³ Art. 53.⁷⁷⁴ Art. 66.⁷⁷⁵ Art. 70.⁷⁷⁶ Arts. 68(b).⁷⁷⁷ Art. 70.⁷⁷⁸ Art. 66(a).⁷⁷⁹ Art. 70(a).

	<p>physical sciences, including mathematics, 3 years had expired from first publication for fictional work, 7 years had expired from first publication for any other work, 5 years had expired from first publication</p> <p>work has not been previously distributed by copyright owner in Columbia at a price for comparable works, or all copies are out of print for at least 6 months</p> <p>licence applicant has requested and been denied authorization from owner of right of reproduction, or applicant was unable to find such owner, after due diligence, and applicant has notified the designated national/international information center⁷⁸⁰</p> <p>a further waiting period of 3 months/6 months has lapsed since licence applicant complied with conditions⁷⁸¹</p> <p>no distribution or placing on sale of work has taken place during waiting period⁷⁸²</p> <p>where owner of right of reproduction is known or located, owner is to be given an opportunity to be heard before a licence can be granted⁷⁸³</p> <p>no licence granted if author withdraws all copies of work from circulation⁷⁸⁴</p> <p>all copies published to be at price for comparable work⁷⁸⁵ and have to include the original title and name of author of the work and notice in Spanish stating that copy is available for sale or distribution only within Columbia, and a reprint of original copyright notice⁷⁸⁶</p> <p>subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of work under the same conditions, display, form and content or for a price similar to licensee's edition⁷⁸⁷</p>
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⁷⁸⁰ Art. 59(b)-(d).

⁷⁸¹ Art. 61-62.

⁷⁸² Art. 63.

⁷⁸³ Art. 60.

⁷⁸⁴ Art. 64.

⁷⁸⁵ Art. 66(b).

⁷⁸⁶ Art. 68.

⁷⁸⁷ Art. 69.

Compulsory licence fee(s)	just compensation to owner of right of reproduction ⁷⁸⁸
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

9. TPM/RMI Exceptions for Educational Purposes

⁷⁸⁸ Art. 67.

Comoros

1. Legislation Reviewed

Law of March 11, 1957, on Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 41.1
Scope of private/personal use	private performance
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	carried out exclusively within the family circle
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 41.2
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	strictly reserved for the private use of the copyist
Condition of private/personal use	not intended for collective use, with the exception of copies of works of art to be used for the same purpose for which the original work was created
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

3. Quotations

Provision	Art. 41.3
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a disclosed work
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("author may not prohibit")

4. Research/Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Congo

1. Legislation Reviewed

Law No. 24/82 of July 7, 1982 on Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	Art. 33.1(a)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or any other transformation
Type(s) of source work(s)	a lawfully published work (in original language or in translation), (performance, phonogram, broadcast) ⁷⁸⁹
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for user's own personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration as levy on selling price of physical media intended for reproduction of sound or visual recordings of protected works, payable to CMO to be distributed to authors ⁷⁹⁰

3. Quotations

Provision	Art. 33.1(b)
Scope of quotation	inclusion, in another work, of quotations
Type(s) of source work(s)	a lawfully published work, including newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

⁷⁸⁹ Art. 97 (applying the limitation of protection for works to neighbouring rights).

⁷⁹⁰ Art. 48 (providing that author is entitled to remuneration whose amount is proportional to revenue from sales of blank media, calculated as a percentage of the selling price of blank physical media, payable to the CMOs representing the authors).

Provision	Art. 97
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, of a phonogram or of a broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is justified by informatory purpose of such quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("neighboring rights shall not apply")

4. Research/Educational Reproduction

Provision	Art. 33.5
Scope of research/educational reproduction	reproduction, by photographic or similar process
Type(s) of source work(s)	lawfully available literary, artistic or scientific works
Entity exercising reproduction	[inter alia] scientific institutions and educational establishments
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	reproduction and the number of copies made are limited to the needs of their activities
Preclusions (not part of research/educational reproduction)	"do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author"
Subject to Attribution	
Subject to Remuneration	not required ("permissible without the author's consent")

Provision	Arts. 97, 98
Scope of research/educational reproduction	reproduction/use
Type(s) of source work(s)	copies of phonograms, (performances, broadcasts) ⁷⁹¹
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of teaching or of scientific research
Condition of reproduction	phonograms: copies made and distributed on the territory of the Congo, excluding any exportation of copies
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	

⁷⁹¹ Art. 97.

Subject to Remuneration	phonograms: equitable remuneration laid down by the Ministry based on number of copies made and distributed, for phonogram producers
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5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 33.1(c)
Scope of anthologies/compilations limitation/exception	utilization of work by way of illustration in publications
Type(s) of source work(s)	work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	utilization for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33.1(c)
Scope of broadcast/communication/recording	utilization of work by way of illustration broadcasts or sound or visual recordings communication of work broadcast for use in schools, education, universities and vocational training
Type(s) of source work(s)	work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	utilization for teaching communication for teaching purposes
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Cook Islands

1. Legislation Reviewed

Copyright Act 2013

2. Private/Personal Use

Provision	s 14
Scope of private/personal use	copying the work
Type(s) of source work(s)	
Entity exercising private/personal use	an individual
Purpose of private/personal use	research, private study, or other private and non-commercial activity
Condition of private/personal use	research, private study, or other activity is carried out by the individual or his or her family or friends
Frequency/copies and limits	
Preclusions (not part of private/personal use)	a building or other construction, whole or substantial part of book or musical notation (without fairly compensating copyright owner), whole or substantial part of a digital database, computer program ⁷⁹² , any work "if the copying would unreasonably prejudice the legitimate interests of the owner of the copyright in the work"
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 37(a), (c)(i)
Scope of private/personal use	copying
Type(s) of source work(s)	performance, sound recording, or broadcast
Entity exercising private/personal use	a person/an individual
Purpose of private/personal use	exclusively for personal purposes, or solely for scientific purpose
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("not a breach of the [neighbouring] rights")

3. Quotations

Provision	s 16
Scope of quotation	quoting

⁷⁹² S 22 (excepting use of the computer program and for backup/archival purposes).

Type(s) of source work(s)	a lawfully published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	amount quoted is justifiable given purposes of quotation
Preclusions (not part of quotation)	amount quoted does not unreasonably prejudice the legitimate interests of copyright owner
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("does not infringe copyright")

4. Research/Educational Reproduction

Provision	s 17(1)
Scope of research/educational reproduction	copying work, or recordings of work broadcast on radio or television
Type(s) of source work(s)	work
Entity exercising reproduction	a person
Purpose of educational reproduction	teaching or receiving instruction at an educational institution
Condition of reproduction	no copying if collective licences are available to educational institution ⁷⁹³ copying of work is for non-commercial purposes ⁷⁹⁴
Frequency/copies and limits	amount of work copied is justifiable given purpose of teaching or instruction; ⁷⁹⁵ an entire textbook may be copied if textbook is out of print, copyright owner cannot be found or an authorised copy of the same edition of the textbook is not for sale in Cook Islands or cannot be purchased at a comparable price ⁷⁹⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if in source) ⁷⁹⁷
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 17(6)
Scope of research/educational reproduction	copy and incorporate copy of work, or recordings of work broadcast on radio or television in assignments, portfolios, theses, dissertations, or other course work produced by individual
Type(s) of source work(s)	work/recordings permitted under s 17(1)
Entity exercising reproduction	individual enrolled in educational institution
Purpose of educational reproduction	

⁷⁹³ S 17(2)(a).

⁷⁹⁴ S 17(9).

⁷⁹⁵ S 17(2)(b).

⁷⁹⁶ S. 17(3).

⁷⁹⁷ S 17(2)(c).

Condition of reproduction	copying of work is for non-commercial purposes ⁷⁹⁸
Frequency/copies and limits	individual to ensure that amount copied is justifiable given purpose of course work
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if in source) ⁷⁹⁹ in course work and any copies made of course work
Subject to Remuneration	not required ("individual ... may")

Provision	s 37(c)(ii)
Scope of research/educational reproduction	copies
Type(s) of source work(s)	a performance, sound recording, or communication
Entity exercising reproduction	a person
Purpose of educational reproduction	teaching
Condition of reproduction	only if performance, sound recording, or communication has not been published in any teaching materials
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not a breach of the [neighbouring] rights")

Provision	s 18
Scope of research/educational reproduction	translation
Type(s) of source work(s)	works
Entity exercising reproduction	person giving or receiving instruction
Purpose of educational reproduction	for private educational, teaching, or research purposes
Condition of reproduction	translation for non-commercial purposes ⁸⁰⁰
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Note: s 18(3) provides that a person or public body does not infringe copyright in a work if the person or body translates the work from or into a minority language and communicates the translation to the public for non-commercial public information purposes.

⁷⁹⁸ S 17(9).

⁷⁹⁹ S 17(2)(c).

⁸⁰⁰ S 18(4).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 17(4)
Scope of anthologies/compilations limitation/exception	incorporate in printed or electronic course materials, study materials, resource lists, or other material
Type(s) of source work(s)	copy of work, or recordings of work broadcast on radio or television permitted under s 17(1)
Entity exercising anthologies/compilations limitation/exception	educational institution
Purpose of anthologies/compilations limitation/exception	use in a course of instruction given by or at educational institution
Condition of anthologies/compilations limitation/exception	if course of instruction is via electronic or virtual learning environment, copy of work may be incorporated only if virtual learning environment is on a secure network and accessible only by those individuals giving or receiving the course or are responsible for administering learning environment ⁸⁰¹ copying of work is for non-commercial purposes ⁸⁰²
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("educational institution may")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 17(8)
Scope of broadcast/communication/recording	communicate to enrolled individuals
Type(s) of source work(s)	a work permitted to be copied or translated
Entity exercising broadcast/communication/recording	educational institution
Purpose of broadcast/communication/recording	private, educational, or research purposes under any of the other exceptions in this Act
Condition of broadcast/communication/recording	copying of work is for non-commercial purposes ⁸⁰³
Frequency/limits of broadcast/communication/recording	educational institution communicates using a secure network accessible only by individuals who are teaching or receiving instruction, or by administrators of network
Preclusions (not part of broadcast/communication/recording)	

⁸⁰¹ S 17(5).⁸⁰² S 17(9).⁸⁰³ S 17(9).

Subject to Attribution	
Subject to Remuneration	not required ("educational institution may communicate")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 25
Scope of TPM/RMI exception	circumventing technological protection measure
Type(s) of source work(s)	a work, to which some form of technological protection has been applied
Beneficiary exercising exception	a person has right to use or copy a work, or use or copy a copy of a work, in accordance with any of the copyright exceptions (ss 14 to 24)
Purpose of exception	to make the work accessible where necessary
Condition of exception	

Costa Rica

1. Legislation Reviewed

Law No. 6683 of October 14, 1982 on Copyright and Related Rights (as last amended by Law No. 8834 of May 3, 2010)

Law No. 8039 of October 12, 2000 on Procedures for Enforcement of Intellectual Property Rights (as last amended by Law No. 8834 of May 3, 2010)

Decree 24.611-J/95

2. Private/Personal Use

Provision	Art. 74, Law 6683/82
Scope of private/personal use	reproduction
Type(s) of source work(s)	an educational or scientific work
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively by the person concerned for his personal use
Condition of private/personal use	without any profit – direct or indirect – “in cases like research and personal entertainment” ⁸⁰⁴ copy is typed or handwritten
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	computer programs
Subject to Attribution	
Subject to Remuneration	not required ("reproduction ... is free")

Provision	Art. 73, Law 6683/82
Scope of private/personal use	performances
Type(s) of source work(s)	a dramatic or musical work that has been made available to the public, lawfully obtained
Entity exercising private/personal use	
Purpose of private/personal use	exclusive benefit of the family circle
Condition of private/personal use	performance at home
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

Provision	Art. 73bis.1(a)
Scope of private/personal use	use

⁸⁰⁴ Art. 3(39), Decree 24611-J/95 (defining “personal use”).

Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	do not conflict with a normal exploitation of the performance, phonogram or broadcast, and not unreasonably prejudice the legitimate interests of the rightholder
Subject to Attribution	
Subject to Remuneration	not required ("are allowed")

3. Quotations

Provision	Art. 70 Law 6683/82
Scope of quotation	quote, by transcribing the relevant passages
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	length of quotation does not exceed the extent justified by the purpose of quotation
Preclusions (not part of quotation)	passages are not so many and consecutive as to be considered a substantial and simulated reproduction that prejudices the author of the quoted work
Subject to Attribution	
Subject to Remuneration	not required ("shall be allowed")

4. Research/Educational Reproduction

Provision	Art. 54 proviso, Law 8039/00
Scope of research/educational reproduction	copying and reproducing
Type(s) of source work(s)	protected literary or artistic works or phonograms
Entity exercising reproduction	
Purpose of educational reproduction	illustrative purposes associated with teaching
Condition of reproduction	without gainful intent reproduction complies with proper use
Frequency/copies and limits	to the extent required
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("will not be punishable")

Provision	Art. 73bis.1(d)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising reproduction	

Purpose of educational reproduction	solely for purposes of teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	do not conflict with a normal exploitation of the performance, phonogram or broadcast, and not unreasonably prejudice the legitimate interests of the rightholder
Subject to Attribution	
Subject to Remuneration	not required ("are allowed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 73 Law 6683/82
Scope of anthologies/compilations limitation/exception	use and reproduction, through publications such as anthologies
Type(s) of source work(s)	works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	by way of illustration for teaching
Condition of anthologies/compilations limitation/exception	use is in accordance with fair practice
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("also lawful use")

6. School Performances

Provision	Art. 73, Law 6683/82
Scope of school performance	performances
Type(s) of source work(s)	a dramatic or musical work that has been made available to the public, lawfully obtained
Entity exercising school performance	
Purpose of school performance	exclusively educational purposes
Condition of school performance	no profit or economical compensation
Preclusions (not part of school performance)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("shall be free")

Provision	Art. 73, Law 6683/82
Scope of school performance	performances
Type(s) of source work(s)	a dramatic or musical work that has been made available to the public, lawfully obtained
Entity exercising school performance	

Purpose of school performance	by way of illustration for exclusively educational purposes
Condition of school performance	to the extent justified by the educational purpose
Preclusions (not part of school performance)	performance does not conflict with the normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the rightholder
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("shall be free")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 73 Law 6683/82
Scope of broadcast/communication/recording	use and reproduction, through radio broadcasts or sound or visual recordings
Type(s) of source work(s)	works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	by way of illustration for teaching
Condition of broadcast/communication/recording	use is in accordance with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("also lawful use")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 62(a), Law 8039/00
Scope of TPM/RMI exception	non-infringing reverse engineering activities, involving the circumvention of effective technological measures, carried out
Type(s) of source work(s)	a legally obtained copy of a computer program
Beneficiary exercising exception	person involved in reverse engineering
Purpose of exception	sole purpose of achieving interoperability of a computer program created independently, with other programs
Condition of exception	carried out in good faith on particular elements of computer program that were not available to the beneficiary

Provision	Art. 62(b), Law 8039/00
Scope of TPM/RMI exception	non-infringing research activities on
Type(s) of source work(s)	a legally obtained copy, unfixed performance or a display of a work, performance or phonogram

Beneficiary exercising exception	a duly qualified researcher
Purpose of exception	to the extent necessary for the sole purpose of identifying and analyzing flaws and vulnerabilities of technologies for encoding and decoding information
Condition of exception	carried out in good faith researcher has made a good faith effort to obtain authorization for such activities

Provision	Art. 66A(5)
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of his work to take voluntary measures to ensure for the “beneficiaries” the benefit of the exception
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ⁸⁰⁵)
Beneficiary exercising exception	“beneficiaries”: users who reproduce work/subject-matter for, <i>inter alia</i> , private use (Art. 18), for teaching purposes (Art. 21)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	

⁸⁰⁵ Art. 66A(5) proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

Côte d'Ivoire

1. Legislation Reviewed

Law No. 96-564 of July 25, 1996, on the Protection of Intellectual Works and the Rights of Authors, Performers and Phonogram and Videogram Producers

2. Private/Personal Use

Provision	Art. 31
Scope of private/personal use	private performances
Type(s) of source work(s)	work, (performance, phonogram, videogram) ⁸⁰⁶ lawfully made accessible to the public
Entity exercising private/personal use	
Purpose of private/personal use	exclusively in a family circle
Condition of private/personal use	do not generate any form of income
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 31
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	works, (performance, phonogram, videogram) ⁸⁰⁷
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use, and not for collective use, with the exception of works of art
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration as levy on manufacturer/importer of recording material suitable for reproduction for private use of works fixed on phonograms/videograms to authors and performers ⁸⁰⁸

3. Quotations

Provision	Art. 31
Scope of quotation	analyses, press reviews and short quotations
Type(s) of source work(s)	works, (performance, phonogram, videogram) ⁸⁰⁹
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemic, educational, scientific or informative character of the work

⁸⁰⁶ Art. 87.

⁸⁰⁷ Art. 87.

⁸⁰⁸ Art. 92.

⁸⁰⁹ Art. 87.

Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("author may not prohibit")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 31
Scope of anthologies/compilations limitation/exception	use through publication
Type(s) of source work(s)	literary, artistic or scientific works, (performance, phonogram, videogram) ⁸¹⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration in teaching
Condition of anthologies/compilations limitation/exception	use is not improper and is devoid of any gainful intent
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("author may not prohibit")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 31
Scope of broadcast/communication/recording	use through radio or television broadcasting or sound or visual recordings
Type(s) of source work(s)	literary, artistic or scientific works, (performance, phonogram, videogram) ⁸¹¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration in teaching
Condition of broadcast/communication/recording	use is not improper and is devoid of any gainful intent
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("author may not prohibit")

⁸¹⁰ Art. 87.

⁸¹¹ Art. 87.

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Croatia

1. Legislation Reviewed

Copyright and Related Rights Act and Acts on Amendments to the Copyright and Related Rights Act (OG Nos. 167/2003, 79/2007, 80/2011, 141/2013 & 127/2014)

2. Private/Personal Use

Provision	Art. 82
Scope of private/personal use	reproduce
Type(s) of source work(s)	a copyright work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ⁸¹²
Entity exercising private/personal use	natural person
Purpose of private/personal use	for private use
Condition of private/personal use	in any medium or in the form of photocopying and other personal use if this copy is not intended for or accessible to the public and has no direct or indirect commercial purpose
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole book (unless copies have been sold out for at least two years), musical notation, electronic database, cartographic works, only "such uses of a copyright work which do not conflict with regular use of the work and do not unreasonably prejudice the legitimate interests of the author" ⁸¹³
Subject to Attribution	not required
Subject to Remuneration	appropriate remuneration by levy on sale of technical appliances and blank audio, video or text fixation media ⁸¹⁴ from manufacturers/importers ⁸¹⁵ , and remuneration from person who provides paid photocopying services ⁸¹⁶ , for author whose works are expected to be reproduced by (photocopying, recording on sound, visual or text fixation media)

3. Quotations

Provision	Art. 90
Scope of quotation	quotations
Type(s) of source work(s)	excerpts from a lawfully available copyright work,

⁸¹² Art. 4(2).

⁸¹³ Art. 80.

⁸¹⁴ Art. 32(1).

⁸¹⁵ Art. 32(4).

⁸¹⁶ Art. 32(2).

	(performances, phonograms, videograms, broadcasts, publishers' publications and databases) ⁸¹⁷
Entity exercising quotation	
Purpose of quotation	scientific research, teaching, criticism, polemics, revision, review
Condition of quotation	extent justified by the purpose to be achieved and in accordance with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall be permitted")

4. Research/Educational Reproduction

Provision	Art. 84
Scope of research/educational reproduction	reproduce to any media
Type(s) of source work(s)	work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ⁸¹⁸
Entity exercising reproduction	[inter alia] educational and scientific institutions, preschool educational institutions
Purpose of educational reproduction	
Condition of reproduction	from their own copy [of the work]
Frequency/copies and limits	not more than one copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may reproduce")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 85
Scope of anthologies/compilations limitation/exception	reproduce on paper or any similar medium and distribute
Type(s) of source work(s)	particular portions (parts) of lawfully disclosed works, or integral short works from the domain of science, literature and music, as well as disclosed individual works of visual arts, architecture, applied arts and industrial design, photographic or cartographic works, and presentations of scientific or technical nature, in the form of a collection which contains contributions of several authors, <i>and</i> (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ⁸¹⁹
Entity exercising anthologies/compilations	

⁸¹⁷ Art. 4(2).

⁸¹⁸ Art. 4(2).

⁸¹⁹ Art. 4(2).

limitation/exception	
Purpose of anthologies/compilations limitation/exception	by its contents, and systematisation exclusively intended for teaching or scientific research
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	unless expressly prohibited by author
Subject to Attribution	source
Subject to Remuneration	equitable remuneration for authors ⁸²⁰

6. School Performances

Provision	Art. 88
Scope of school performance	publicly perform or to present it at stage
Type(s) of source work(s)	a work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ⁸²¹
Entity exercising school performance	
Purpose of school performance	direct teaching or at school events
Condition of school performance	to extent justified by educational purpose works are not used for direct or indirect economic or commercial benefit by the educational institution, the organizers or third persons the performers receive no payment (remuneration) for their performance where the tickets are free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 98
Scope of TPM/RMI exception	oblige authors or other persons who applied technological measures to works to enable access to such works
Type(s) of source work(s)	
Beneficiary exercising exception	users who use or access of the work is allowed

⁸²⁰ Art. 85(2).

⁸²¹ Art. 4(2).

	under Arts. 82-87 are prevented by the application of technological measures from so accessing the works
Purpose of exception	to such works and use thereof in accordance with Arts. 82-87 (limitations of copyright)
Condition of exception	works are not “made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them” ⁸²²

⁸²² Art. 98(4).

Cuba

1. Legislation Reviewed

Law on Copyright (Law No. 14 of 1977)

2. Private/Personal Use

3. Quotations

Provision	Art. 38(a)
Scope of quotation	reproduction quotations or fragments, (with translations into Spanish), ⁸²³ in written, audio or visual form
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	purposes of teaching, information, criticism, illustration or explanation
Condition of quotation	respect the specific values of work extent of quotation justified by desired purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 38(d)
Scope of research/educational reproduction	reproduce, (with translations into Spanish), ⁸²⁴ by a photographic process or similar
Type(s) of source work(s)	a published work
Entity exercising reproduction	a scientific institution or an educational institution
Purpose of educational reproduction	
Condition of reproduction	activities are non-profit
Frequency/copies and limits	number of copies is strictly limited to the needs of a specific activity
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 38(b)
Scope of anthologies/compilations limitation/exception	use (with translations into Spanish), ⁸²⁵ in publications, radio or TV, films or sound or visual recordings

⁸²³ Art. 39.

⁸²⁴ Art. 39.

⁸²⁵ Art. 39.

Type(s) of source work(s)	a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	purpose of illustration and teaching
Condition of anthologies/compilations limitation/exception	respect the specific values of work
Frequency/copies and limits	use even of all of the work, if this is justified by its nature or short extent
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances

Provision	Art. 38(ch)
Scope of school performance	present or perform (with translations into Spanish), ⁸²⁶
Type(s) of source work(s)	a published work
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	respect the specific values of work presentation or performance is not for profit
Preclusions (not part of school performance)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 38(b)
Scope of broadcast/communication/recording	use (with translations into Spanish), ⁸²⁷ in radio or TV, films or sound or visual recordings
Type(s) of source work(s)	a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purpose of illustration and teaching
Condition of broadcast/communication/recording	respect the specific values of work
Frequency/limits of broadcast/communication/recording	use even of all of the work, if this is justified by its nature or short extent
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author

⁸²⁶ Art. 39.

⁸²⁷ Art. 39.

Subject to Remuneration	not required ("without payment of remuneration")
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8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 37
Nature of compulsory licence for translation for educational purposes	licence, to translate and edit the work, or disseminate it through radio, TV or other audio or visual media in its translated language, or to reproduce the same in audiovisual form
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	works expressed exclusively in words ⁸²⁸
Purpose of licence	work is necessary for the development of science, technology, education and professional development
Condition of licence	
Compulsory licence fee(s)	not required
Price of publication	distribution or dissemination is free or, in the case of sale of printed materials, made on a non-profit basis ⁸²⁹
Distribution conditions	distribution or dissemination exclusively within the territory of the Cuban State ⁸³⁰
Grantor of compulsory licence	competent authority

Provision	Art. 37
Nature of compulsory licence for reproduction for educational purposes	licence, to reproduce and publish in print or analog form, a work published in the same manner, or or disseminate it through radio, TV or other audio or visual media in its original language, or to reproduce the same in audiovisual form
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	works expressed exclusively in words ⁸³¹
Purpose of licence	work is necessary for the development of science, technology, education and professional development
Condition of licence	
Compulsory licence fee(s)	not required
Price of publication	distribution or dissemination is free or, in the case of sale of printed materials, made on a non-profit basis ⁸³²
Distribution conditions	distribution or dissemination exclusively within the territory of the Cuban State ⁸³³

⁸²⁸ S 17(1), (2).

⁸²⁹ Art. 37(b).

⁸³⁰ Art. 37(c).

⁸³¹ S 17(1), (2).

⁸³² Art. 37(b).

Grantor of compulsory licence	competent authority
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9. TPM/RMI Exceptions for Educational Purposes

⁸³³ Art. 37(c).

Cyprus

1. Legislation Reviewed

Copyright Laws 1976 to 1993 (Law No. 59 of December 3, 1976, as amended by Law No. 18(I), 1993)

2. Private/Personal Use

Provision	s 7(1)(a)
Scope of private/personal use	reproduction, sale, rental, distribution, lending, advertising, exhibiting in public, communication to the public, broadcasting, translation, adaptation and other arrangement, by way of fair dealing
Type(s) of source work(s)	the whole (literary, musical or artistic work or cinematograph film), (sound recording, broadcast), ⁸³⁴ or a substantial part
Entity exercising private/personal use	
Purpose of private/personal use	research, private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	(if use in public) title and author, except where work is incidentally included in a broadcast
Subject to Remuneration	not required ("copyright ... shall not include the right")

3. Quotations

Provision	s 7(1)(a)
Scope of quotation	reproduction, sale, rental, distribution, lending, advertising, exhibiting in public, communication to the public, broadcasting, translation, adaptation and other arrangement, by way of fair dealing
Type(s) of source work(s)	the whole (literary, musical or artistic work or cinematograph film), (sound recording, broadcast), ⁸³⁵ or a substantial part
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	(if use in public) title and author, except where work is incidentally included in a broadcast
Subject to Remuneration	not required ("copyright ... shall not include the right")

Provision	s 7(1)(f)
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⁸³⁴ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁸³⁵ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

Scope of quotation	quotation
Type(s) of source work(s)	passages from published works, (sound recording, broadcast), ⁸³⁶ including extracts from newspaper articles and magazines in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("copyright ... shall not include the right")

4. Research/Educational Reproduction

Provision	s 7(1)(j)
Scope of research/educational reproduction	any use
Type(s) of source work(s)	a work, (sound recording, broadcast) ⁸³⁷
Entity exercising reproduction	public libraries, non-commercial collection and documentation centres and scientific institutions as may be prescribed
Purpose of educational reproduction	use is in the public interest
Condition of reproduction	no revenue is derived therefrom no admission fee is charged for the communication, if any, to the public of the work
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... shall not include the right")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 7(1)(e)
Scope of anthologies/compilations limitation/exception	inclusion in a collection of works
Type(s) of source work(s)	a work, (sound recording, broadcast), ⁸³⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration for teaching purposes
Condition of anthologies/compilations	compatible with fair practice

⁸³⁶ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁸³⁷ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁸³⁸ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("copyright ... shall not include the right")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 7(1)(e)
Scope of broadcast/communication/recording	inclusion in a broadcast, communication to the public, sound recording, cinematograph film
Type(s) of source work(s)	a work, (sound recording, broadcast) ⁸³⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching purposes
Condition of broadcast/communication/recording	compatible with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("copyright ... shall not include the right")

Provision	s 7(1)(j)
Scope of broadcast/communication/recording	any use [including communication]
Type(s) of source work(s)	a work, (sound recording, broadcast) ⁸⁴⁰
Entity exercising broadcast/communication/recording	public libraries, non-commercial collection and documentation centres and scientific institutions as may be prescribed
Purpose of broadcast/communication/recording	use is in the public interest
Condition of broadcast/communication/recording	no revenue is derived therefrom no admission fee is charged for the communication, if any, to the public of the work
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	

⁸³⁹ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).⁸⁴⁰ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

Subject to Attribution	
Subject to Remuneration	not required ("copyright ... shall not include the right")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Czech Republic

1. Legislation Reviewed

Consolidated Version of Act No. 121/2000 Coll., on Copyright and Rights Related to Copyright and on Amendment to Certain Acts (the Copyright Act, as amended by Act No. 81/2005 Coll., Act No. 61/2006 Coll. and Act No. 216/2006 Coll.); Decree of October 16, 2006, defining types of devices for making reproductions, types of blank record carriers and the amount of lump-sum remuneration, as amended by Decree No. 408/2008 Coll.

2. Private/Personal Use

Provision	Arts. 30, 25
Scope of private/personal use	any use
Type(s) of source work(s)	a work, performance, ⁸⁴¹ phonogram, ⁸⁴² audiovisual or any other fixation ⁸⁴³ or broadcast ⁸⁴⁴ made public and may be reproduced
Entity exercising private/personal use	natural person
Purpose of private/personal use	for personal use/needs
Condition of private/personal use	without seeking to achieve direct or indirect economic benefit ⁸⁴⁵ reproduction made may not be used for any other purpose ⁸⁴⁶
Frequency/copies and limits	
Preclusions (not part of private/personal use)	computer program, electronic database, ⁸⁴⁷ work of architecture in the form of building, ⁸⁴⁸ fixation of an audiovisual work ⁸⁴⁹
Subject to Attribution	reproduction or imitation of work of fine arts made by natural person for personal use: to be “visibly designated as such” ⁸⁵⁰
Subject to Remuneration	using a device for making printed reproductions on paper or other similar base ⁸⁵¹ : remuneration payable by producer/importer/consignee/carrier ⁸⁵² of devices for making printed reproductions and technical devices, and provider of paid reproduction services, ⁸⁵³ at time of

⁸⁴¹ Art. 74.

⁸⁴² Art. 78.

⁸⁴³ Art. 82.

⁸⁴⁴ Art. 86.

⁸⁴⁵ Art. 30(1).

⁸⁴⁶ Art. 30(5).

⁸⁴⁷ Art. 30(3).

⁸⁴⁸ Art. 30(3).

⁸⁴⁹ Art. 30(3).

⁸⁵⁰ Art. 30(4).

⁸⁵¹ Art. 25(1)(a). Decree of October 16, 2006, defining types of devices for making reproductions, types of blank record carriers and the amount of lump-sum remuneration, as amended by Decree No. 408/2008 Coll further spells out what these devices are.

⁸⁵² Art. 25(2)(b).

⁸⁵³ Art. 25(2)(e).

	import/receipt/first sale ⁸⁵⁴ , [to CMOs] to be distributed to authors ⁸⁵⁵ fixation/transfer by means of a device to blank record carriers ⁸⁵⁶ : remuneration payable by producer/importer/consignee/carrier ⁸⁵⁷ of blank record carriers and provider of paid reproduction services, ⁸⁵⁸ at time of import/receipt/first sale ⁸⁵⁹ , [to CMOs] to be distributed to authors ⁸⁶⁰
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Provision	Arts. 30a, 25
Scope of private/personal use	printed reproduction, on paper or other similar base by photographic technique or by any other process with similar effects
Type(s) of source work(s)	a work made public
Entity exercising private/personal use	natural person, legal person/sole trader, anybody, who upon order, for personal use by a natural person or for a legal person/sole trader's own internal use
Purpose of private/personal use	personal or internal use
Condition of private/personal use	natural person: reproduction may not be used for any other purpose ⁸⁶¹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	musical notation of a musical work or musical – dramatical work, computer program ⁸⁶²
Subject to Attribution	reproduction or imitation of work of fine arts made by natural person for personal use: to be “visibly designated as such”
Subject to Remuneration	printed reproductions: remuneration payable by producer/importer/consignee/carrier ⁸⁶³ of devices for making printed reproductions and technical devices, and provider of paid reproduction services, ⁸⁶⁴ at time of import/receipt/first sale ⁸⁶⁵ , [to CMOs] to be distributed to authors ⁸⁶⁶

⁸⁵⁴ Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

⁸⁵⁵ Art. 25(3).

⁸⁵⁶ Art. 25(1)(b). Decree of October 16, 2006, defining types of devices for making reproductions, types of blank record carriers and the amount of lump-sum remuneration, as amended by Decree No. 408/2008 Coll further spells out what these record carriers are.

⁸⁵⁷ Art. 25(2)(c), (d).

⁸⁵⁸ Art. 25(3)(e).

⁸⁵⁹ Art. 25(3).

⁸⁶⁰ Art. 25(3).

⁸⁶¹ Art. 30(5).

⁸⁶² Art. 66(7).

⁸⁶³ Art. 25(2)(b).

⁸⁶⁴ Art. 25(2)(e).

⁸⁶⁵ Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

⁸⁶⁶ Art. 25(3).

3. Quotations

Provision	Art. 31(1)(a)
Scope of quotation	use excerpts (and further use of excerpts) ⁸⁶⁷ in [entity's] own works
Type(s) of source work(s)	works, performances, ⁸⁶⁸ phonograms, ⁸⁶⁹ audiovisual or any other fixations ⁸⁷⁰ or broadcasts, ⁸⁷¹ of other authors which were made public
Entity exercising quotation	author of own work
Purpose of quotation	
Condition of quotation	to a justified extent
Preclusions (not part of quotation)	computer program ⁸⁷²
Subject to Attribution	title, source, author (unless anonymous or pseudonym is used)
Subject to Remuneration	not required ("Copyright is not infringed")

Provision	Art. 31(1)(b)
Scope of quotation	uses excerpts (and further use of excerpts) ⁸⁷³
Type(s) of source work(s)	works, or small works in their entirety, , performances, ⁸⁷⁴ phonograms, ⁸⁷⁵ audiovisual or any other fixations ⁸⁷⁶ or broadcasts, ⁸⁷⁷
Entity exercising quotation	anybody
Purpose of quotation	critique or review related to such a work o for the purposes of scientific or technical work
Condition of quotation	use of excerpts/small works in their entirety to extent complying with fair practices and required by specific purpose
Preclusions (not part of quotation)	computer program ⁸⁷⁸
Subject to Attribution	title, source, author (unless anonymous or pseudonym is used)
Subject to Remuneration	not required ("Copyright is not infringed")

4. Research/Educational Reproduction

Provision	Art. 31(1)(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	work, performance, ⁸⁷⁹ phonogram, ⁸⁸⁰ audiovisual or any other fixation ⁸⁸¹ or broadcast ⁸⁸²

⁸⁶⁷ Art. 31(2).⁸⁶⁸ Art. 74.⁸⁶⁹ Art. 78.⁸⁷⁰ Art. 82.⁸⁷¹ Art. 86.⁸⁷² Art. 66(7).⁸⁷³ Art. 31(2).⁸⁷⁴ Art. 74.⁸⁷⁵ Art. 78.⁸⁷⁶ Art. 82.⁸⁷⁷ Art. 86.⁸⁷⁸ Art. 66(7).

Entity exercising reproduction	
Purpose of educational reproduction	while teaching for illustration purposes or during scientific research
Condition of reproduction	without seeking to achieve direct or indirect economic or commercial advantage source work not to include computer program ⁸⁸³
Frequency/copies and limits	without exceeding extent adequate to given purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, source, author (unless anonymous or pseudonym is used)
Subject to Remuneration	not required ("Copyright is not infringed")

Provision	Art. 35(3)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a work, performance, ⁸⁸⁴ phonogram, ⁸⁸⁵ audiovisual or any other fixation ⁸⁸⁶ created by a pupil or student as part of his school or educational assignments ensuing from his legal relationship to his school or the school-related or educational establishment (school work)
Entity exercising reproduction	a school or school-related or educational establishment
Purpose of educational reproduction	use for teaching purposes or to meet their own internal needs a work
Condition of reproduction	not done for the purpose of any direct or indirect economic or commercial advantage source work not to include computer program ⁸⁸⁷
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 35(2)
Scope of school performance	uses, during school performances,

⁸⁷⁹ Art. 74.

⁸⁸⁰ Art. 78.

⁸⁸¹ Art. 82.

⁸⁸² Art. 86.

⁸⁸³ Art. 66(7).

⁸⁸⁴ Art. 74.

⁸⁸⁵ Art. 78.

⁸⁸⁶ Art. 82.

⁸⁸⁷ Art. 66(7).

Type(s) of source work(s)	a work, performance, ⁸⁸⁸ phonogram, ⁸⁸⁹ audiovisual or any other fixation ⁸⁹⁰
Entity exercising school performance	anyone
Purpose of school performance	performed exclusively by the pupils, students or teachers of the school or of the school-related or educational establishment
Condition of school performance	not done for the purpose of any direct or indirect economic or commercial advantage
Preclusions (not part of school performance)	computer program ⁸⁹¹
Subject to Attribution	
Subject to Remuneration	not required ("Copyright is not infringed")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 31(1)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	work, performance, ⁸⁹² phonogram, ⁸⁹³ audiovisual or any other fixation ⁸⁹⁴ or broadcast ⁸⁹⁵
Entity exercising broadcast/communication/recording	[anybody]
Purpose of broadcast/communication/recording	while teaching for illustration purposes or during scientific research
Condition of broadcast/communication/recording	without seeking to achieve direct or indirect economic or commercial advantage
Frequency/limits of broadcast/communication/recording	without exceeding extent adequate to given purpose
Preclusions (not part of broadcast/communication/recording)	source work not to include computer program ⁸⁹⁶
Subject to Attribution	title, source, author (unless anonymous or pseudonym is used)
Subject to Remuneration	not required ("Copyright is not infringed")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 43(4)
Scope of TPM/RMI exception	require author who used technical measures in respect of his work to make work available to lawful users
Type(s) of source work(s)	work, performance, ⁸⁹⁷ phonogram, ⁸⁹⁸ audiovisual

⁸⁸⁸ Art. 74.

⁸⁸⁹ Art. 78.

⁸⁹⁰ Art. 82.

⁸⁹¹ Art. 66(7).

⁸⁹² Art. 74.

⁸⁹³ Art. 78.

⁸⁹⁴ Art. 82.

⁸⁹⁵ Art. 86.

⁸⁹⁶ Art. 66(7).

	or any other fixation ⁸⁹⁹ or broadcast ⁹⁰⁰
Beneficiary exercising exception	lawful users: users who use work for personal use or internal use (Art. 30a), or for critique, review, scientific or technical work (Art. 31(1)(b))
Purpose of exception	to the extent necessary to fulfil the purpose of the stated exploitation of work [pursuant to exception]
Condition of exception	

⁸⁹⁷ Art. 74.

⁸⁹⁸ Art. 78.

⁸⁹⁹ Art. 82.

⁹⁰⁰ Art. 86.

Democratic People's Republic of Korea

1. Legislation Reviewed

Copyright Law of the Democratic People's Republic of Korea (as amended by Decree No. 1532 of February 1, 2006, of the Presidium of the Supreme People's Assembly)

2. Private/Personal Use

Provision	Arts. 32.1, 40
Scope of private/personal use	reproduction or translation for use
Type(s) of source work(s)	a copyrighted work, (a performance, sound- or video-recording or broadcast) ⁹⁰¹
Entity exercising private/personal use	by an individual or within the family
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the copyright holder")

3. Quotations

Provision	Arts. 32.6, 40
Scope of quotation	quotation
Type(s) of source work(s)	a copyrighted work, (a performance, sound- or video-recording or broadcast) ⁹⁰²
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the copyright holder")

4. Research/Educational Reproduction

Provision	Arts. 32.3, 40
Scope of research/educational reproduction	copied or adapted
Type(s) of source work(s)	a copyrighted work, (a performance, sound- or video-recording or broadcast) ⁹⁰³
Entity exercising reproduction	

⁹⁰¹ Art. 40 (permitting use of subject matter from related rights without permission of related rights holder in such cases as specified in Art. 32).

⁹⁰² Art. 40 (permitting use of subject matter from related rights without permission of related rights holder in such cases as specified in Art. 32).

⁹⁰³ Art. 40 (permitting use of subject matter from related rights without permission of related rights holder in such cases as specified in Art. 32).

Purpose of educational reproduction	school education
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the copyright holder")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Arts. 32.7, 40
Scope of school performance	performance
Type(s) of source work(s)	a copyrighted work, (a performance, sound- or video-recording or broadcast) ⁹⁰⁴
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the copyright holder")

7. Educational Broadcasts/Communications/Recordings

Provision	Arts. 32.3, 40
Scope of broadcast/communication/recording	broadcast or adapted
Type(s) of source work(s)	a copyrighted work, (a performance, sound- or video-recording or broadcast) ⁹⁰⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	school education
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the copyright holder")

⁹⁰⁴ Art. 40 (permitting use of subject matter from related rights without permission of related rights holder in such cases as specified in Art. 32).

⁹⁰⁵ Art. 40 (permitting use of subject matter from related rights without permission of related rights holder in such cases as specified in Art. 32).

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Democratic Republic of the Congo

1. Legislation Reviewed

Ordinance-Law No. 86-033 of April 5, 1986 on the Protection of Copyright and Related Rights of Apr. 5, 1986

2. Private/Personal Use

3. Quotations

4. Research/Educational Reproduction

Provision	Art. 24
Scope of research/educational reproduction	reproduce quotations or excerpts
Type(s) of source work(s)	protected works
Entity exercising reproduction	
Purpose of educational reproduction	cultural, scientific, teaching, critical or polemic purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, title, author
Subject to Remuneration	not required ("It shall be lawful")

Provision	Art. 27
Scope of research/educational reproduction	reproduction or summarization
Type(s) of source work(s)	lessons delivered as part of teaching
Entity exercising reproduction	the people to whom [lessons] are addressed
Purpose of educational reproduction	
Condition of reproduction	may not be published, in part or in full, without the written authorization of the authors or their successors
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may be")

5. Educational Publications/Anthologies/Compilations/Composite Works

Art.25.In order to illustrate a text, the reproduction of photographs in anthologies intended for teaching use and in scientific works shall be authorized.

Provision	Art. 25
Scope of anthologies/compilations limitation/exception	reproduce, in anthologies
Type(s) of source work(s)	photographs
Entity exercising anthologies/compilations	

limitation/exception	
Purpose of anthologies/compilations limitation/exception	to illustrate a text intended for teaching use and in scientific works
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be authorized")

Provision	Art. 28
Scope of anthologies/compilations limitation/exception	reproduction, by publication of corresponding photographs in school textbooks
Type(s) of source work(s)	an architectural work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("may not give rise to payment of copyright")

6. School Performances

Provision	Art. 31
Scope of school performance	carrying out performances
Type(s) of source work(s)	a work already disseminated
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	performance given free of charge in a teaching establishment during school hours performance has a direct bearing on the subject of the lesson
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without prior authorization from the author")

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Denmark

1. Legislation Reviewed

Consolidated Act on Copyright 2014 (Consolidate Act No. 1144 of October 23, 2014, on Copyright)

2. Private/Personal Use

Provision	s 12
Scope of private/personal use	make or have made
Type(s) of source work(s)	works, (performances, ⁹⁰⁶ sound recordings, ⁹⁰⁷ recordings of moving pictures, ⁹⁰⁸ radio and television broadcasts, ⁹⁰⁹ phonographic pictures, ⁹¹⁰ catalogues, tables, databases etc. ⁹¹¹) which have been made public
Entity exercising private/personal use	anyone
Purpose of private/personal use	private purposes; not done for commercial purposes
Condition of private/personal use	copies must not be used for any other purpose
Frequency/copies and limits	single copies
Preclusions (not part of private/personal use)	<p>construct works of architecture, copy of art by casting, printing from original negative or base, or “any other manner implying that the copy can be considered as an original”, copies in digital form of a digital database, copies of computer program, make single copies in digital form of other works (that are not lent or hired)⁹¹² than computer programs and databases unless this is done exclusively for the personal use of the copying person himself or his household⁹¹³</p> <p>no rights to engage another to make copies of musical works, cinematographic works, literary works if the other person assists for commercial purposes, works of applied art and works of art if copying is in the form of artistic reproduction⁹¹⁴</p> <p>no entitlement to make copies of musical and cinematographic works using technical equipment made available to the public in libraries, on business premises, or in other places accessible to the public, or copies of literary</p>

⁹⁰⁶ S 65(6).

⁹⁰⁷ S 66(2)

⁹⁰⁸ S 67(2).

⁹⁰⁹ S 69(3).

⁹¹⁰ S 70(3).

⁹¹¹ S 71(5).

⁹¹² S 12(3).

⁹¹³ S 12(2)(v).

⁹¹⁴ S 12(4).

	works from technical equipment provided for commercial purposes ⁹¹⁵
Subject to Attribution	if "work is used publicly" ⁹¹⁶ , source indicated in accordance with requirements of proper usage ⁹¹⁷
Subject to Remuneration	levy payable by producer/importer of tapes etc. onto which are copied works broadcast on radio or television or published on phonogram, film, videogram, through a joint organization representing authors, performers and other rightholders, to authors ⁹¹⁸

3. Quotations

Provision	s 22
Scope of quotation	quote
Type(s) of source work(s)	a work, (performance, ⁹¹⁹ sound recording, ⁹²⁰ recording of moving pictures, ⁹²¹ radio and television broadcast, ⁹²² catalogue, table, database etc. ⁹²³) which has been made public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	in accordance with proper usage and to extent required for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹²⁴
Subject to Remuneration	not required ("may quote")

4. Research/Educational Reproduction

Provision	s 13(1)
Scope of research/educational reproduction	copies (including recordings)
Type(s) of source work(s)	published works, works broadcast in radio and television (not applicable to cinematographic works which are part of general cinema repertoire of feature films except brief excerpts, ⁹²⁵ not applicable to computer programs ⁹²⁶), (performances, ⁹²⁷ sound recordings, ⁹²⁸ recordings

⁹¹⁵ S 12(5).

⁹¹⁶ There is some ambiguity here: does this mean the source work is publicly available, or that the targeted work needs to be publicly available?

⁹¹⁷ S 11(3).

⁹¹⁸ S 39(1), (2). More details of the remuneration are spelt out in ss 40-46a.

⁹¹⁹ S 65(6).

⁹²⁰ S 66(2)

⁹²¹ S 67(2).

⁹²² S 69(3).

⁹²³ S 71(5).

⁹²⁴ S 11(3).

⁹²⁵ S 13(2).

⁹²⁶ S 13(3).

⁹²⁷ S 65(6).

	of moving pictures, ⁹²⁹ radio and television phonographic pictures, ⁹³⁰ catalogues, tables, databases etc. ⁹³¹)
Entity exercising reproduction	anyone
Purpose of educational reproduction	only in educational activities comprised by collective licence presumed in section 50
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	if "work is used publicly", source indicated in accordance with requirements of proper usage ⁹³²
Subject to Remuneration	"extended collective license" ⁹³³

Provision	s 23(1)
Scope of research/educational reproduction	use
Type(s) of source work(s)	works of art and works of a descriptive nature (i.e. maps, drawings) ⁹³⁴ , (phonographic pictures) ⁹³⁵)
Entity exercising reproduction	
Purpose of educational reproduction	in critical or scientific presentations in connection with the text
Condition of reproduction	no reproduction for commercial purposes in accordance with proper usage
Frequency/copies and limits	to extent required for the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹³⁶
Subject to Remuneration	not required ("may be used")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 18
Scope of anthologies/compilations limitation/exception	minor portions, used in composite works comprising contributions by a large number of authors
Type(s) of source work(s)	literary works (including maps, drawings and other works of a descriptive nature executed in

⁹²⁸ S 66(2)

⁹²⁹ S 67(2).

⁹³⁰ S 70(3).

⁹³¹ S 71(5).

⁹³² S 11(3).

⁹³³ S 50 (giving licensees who have made an agreement with a CMO for a substantial number of authors, the right to exploit other works of the same nature even though authors of these other works are not represented by the CMO).

⁹³⁴ S 1(2).

⁹³⁵ S 70(3).

⁹³⁶ S 11(3).

	graphic or plastic form considered as literary works), ⁹³⁷ musical works, (performances, ⁹³⁸ sound recordings, ⁹³⁹ recordings of moving pictures, ⁹⁴⁰ phonographic pictures, ⁹⁴¹ catalogues, tables, databases etc. ⁹⁴²) or such works of small proportions
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational activities
Condition of anthologies/compilations limitation/exception	use is <i>not</i> for commercial purposes
Frequency/copies and limits	5 years have lapsed since year of first publication
Preclusions (not part of anthologies/compilations limitation/exception)	works prepared for use in educational activities
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹⁴³
Subject to Remuneration	remuneration entitlement for author ⁹⁴⁴

Provision	s 18(3)
Scope of anthologies/compilations limitation/exception	use in song booklets
Type(s) of source work(s)	a few published songs
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	solely for use of participants in a particular meeting
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	not more than 300 copies of each booklet may be produced
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹⁴⁵
Subject to Remuneration	not required ("freely used")

6. School Performances

Provision	s 21
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⁹³⁷ S 1(2) read with s 18(1).

⁹³⁸ S 65(6).

⁹³⁹ S 66(2)

⁹⁴⁰ S 67(2).

⁹⁴¹ S 70(3).

⁹⁴² S 71(5).

⁹⁴³ S 11(3).

⁹⁴⁴ If no agreement is reached on quantum of remuneration, the dispute may be brought before the Copyright License Tribunal under s 47.

⁹⁴⁵ S 11(3).

Scope of school performance	public performance
Type(s) of source work(s)	a published work, which is not a dramatic work or a cinematographic work, or (performances, ⁹⁴⁶ sound recordings, ⁹⁴⁷ radio and television broadcasts, ⁹⁴⁸ phonographic pictures, ⁹⁴⁹ catalogues, tables, databases etc. ⁹⁵⁰)
Entity exercising school performance	
Purpose of school performance	[inter alia] educational activities
Condition of school performance	audience is admitted free of charge, performance is not the main feature of the event, and where event does not occur for commercial purposes
Preclusions (not part of school performance)	does not apply to performances on radio or television and to performances in educational activities which occur for commercial purposes
Subject to Attribution	if "work is used publicly", source indicated in accordance with requirements of proper usage ⁹⁵¹
Subject to Remuneration	not required ("may be performed")

7. Educational Broadcasts/Communications/Recordings

Provision	s 13(1)
Scope of broadcast/communication/recording	copies (including recordings)
Type(s) of source work(s)	published works, works broadcast in radio and television (not applicable to cinematographic works which are part of general cinema repertoire of feature films except brief excerpts, ⁹⁵² not applicable to computer programs ⁹⁵³), (performances, ⁹⁵⁴ sound recordings, ⁹⁵⁵ recordings of moving pictures, ⁹⁵⁶ radio and television phonographic pictures, ⁹⁵⁷ catalogues, tables, databases etc. ⁹⁵⁸)
Entity exercising broadcast/communication/recording	anyone
Purpose of broadcast/communication/recording	only in educational activities comprised by collective licence presumed in section 50
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	

⁹⁴⁶ S 65(6).

⁹⁴⁷ S 66(2)

⁹⁴⁸ S 69(3).

⁹⁴⁹ S 70(3).

⁹⁵⁰ S 71(5).

⁹⁵¹ S 11(3).

⁹⁵² S 13(2).

⁹⁵³ S 13(3).

⁹⁵⁴ S 65(6).

⁹⁵⁵ S 66(2)

⁹⁵⁶ S 67(2).

⁹⁵⁷ S 70(3).

⁹⁵⁸ S 71(5).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹⁵⁹
Subject to Remuneration	"extended collective license" ⁹⁶⁰

Provision	s 13(4)
Scope of broadcast/communication/recording	recordings
Type(s) of source work(s)	own performances of works, (performances, ⁹⁶¹ sound recordings, ⁹⁶² recordings of moving pictures, ⁹⁶³ phonographic pictures, ⁹⁶⁴ catalogues, tables, databases etc. ⁹⁶⁵)
Entity exercising broadcast/communication/recording	teachers and students
Purpose of broadcast/communication/recording	not done for commercial purposes recordings may not be used for any other purpose
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	if "work is used publicly", source in accordance with proper usage ⁹⁶⁶
Subject to Remuneration	not required[?] ("may ... make recordings")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

⁹⁵⁹ S 11(3).

⁹⁶⁰ S 50 (giving licensees who have made an agreement with a CMO for a substantial number of authors, the right to exploit other works of the same nature even though authors of these other works are not represented by the CMO).

⁹⁶¹ S 65(6).

⁹⁶² S 66(2).

⁹⁶³ S 67(2).

⁹⁶⁴ S 70(3).

⁹⁶⁵ S 71(5).

⁹⁶⁶ S 11(3).

Djibouti

1. Legislation Reviewed

Law No. 154/AN/06 of 23 July 2006 on the Protection of Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Arts. 54(a), 65(d)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a lawfully published protected work, (a performance, phonogram or broadcast) ⁹⁶⁷
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for producer's own personal or private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(reproduction of sound, visual, audiovisual recording on physical media of works, performance or phonograms) remuneration of a sum to be based on the nature and recording length of these physical media, by producers or importers of physical media, for Djiboutian authors, performers and phonogram producers ⁹⁶⁸

3. Quotations

Provision	Art. 54(b)
Scope of quotation	inclusion of nonsubstantial quotations
Type(s) of source work(s)	another lawfully published work, including newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice extent does not exceed that justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("permissible without the author's consent")

⁹⁶⁷ Art. 65(d) (limiting neighboring rights in relation to reproduction solely for personal and private use of producer).

⁹⁶⁸ Art. 66. Arts. 67, 68 contain more details about the rates of remuneration and means of payment and reimbursement.

Provision	Art. 65(e)
Scope of quotation	reproduction, in the form of quotation
Type(s) of source work(s)	a performance, a phonogram or a broadcast ⁹⁶⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	“short fragments” of a performance, a phonogram or a broadcast quotations are compatible with fair practice their extent does not exceed that justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a consideration")

4. Research/Educational Reproduction

Provision	Art. 54(e)
Scope of research/educational reproduction	reproduction by photographic or similar process
Type(s) of source work(s)	literary, artistic or scientific works which have already been lawfully made available to the public use of a performance, a phonogram or a broadcast ⁹⁷⁰
Entity exercising reproduction	public libraries, noncommercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	number of copies made is limited to the needs of their regular activities
Preclusions (not part of research/educational reproduction)	such reproduction “does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author”
Subject to Attribution	
Subject to Remuneration	not required ("not required ("permissible without the author's consent"))

Provision	Art. 65(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram or broadcast ⁹⁷¹
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	

⁹⁶⁹ Art. 65(e) (limiting neighboring rights in relation to reproduction in the form of quotation).

⁹⁷⁰ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

⁹⁷¹ Art. 65(b) (limiting neighboring rights in relation to reproduction solely for scientific research).

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a consideration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 54(c)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications
Type(s) of source work(s)	a work, (a performance, a phonogram or a broadcast) ⁹⁷²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching/for teaching purposes for use in schools, educational establishments, universities and vocational training
Condition of anthologies/compilations limitation/exception	use to be compatible with fair practice
Frequency/copies and limits	to the extent justified by the intended purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (in publication, broadcast, recording)
Subject to Remuneration	not required ("not required ("permissible without the author's consent"))

6. School Performances

Provision	Art. 54(d)
Scope of school performance	public performance
Type(s) of source work(s)	a work, (a performance, a phonogram or a broadcast) ⁹⁷³
Entity exercising school performance	teaching establishment
Purpose of school performance	teaching activities
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not required ("permissible without the author's consent"))

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 54(c)
Scope of broadcast/communication/recording	use, by way of illustration in broadcasts or sound or visual recordings, or communication of work broadcasted

⁹⁷² Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

⁹⁷³ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

Type(s) of source work(s)	a work, (a performance, a phonogram or a broadcast ⁹⁷⁴)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching/for teaching purposes for use in schools, educational establishments, universities and vocational training
Condition of broadcast/communication/recording	use to be compatible with fair practice
Frequency/limits of broadcast/communication/recording	to the extent justified by the intended purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (in publication, broadcast, recording)
Subject to Remuneration	not required ("not required ("permissible without the author's consent"))

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 55
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation and publication of work in Djibouti
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a writing
Licence applicant/entity	
Purpose of licence	license intended for school, university or research use
Condition of licence	written publication has not been previously translated and published in Djibouti within 1 year from first publication by owner or with his authorization, or if all previous editions of a translation are out of print applicant establishes that, after due diligence on his part, he was unable to find the owner of the right of translation or to obtain his authorization
Compulsory licence fee(s)	owner of translation right to receive just and equitable compensation
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Ministry responsible for culture

Provision	Art. 56
Nature of compulsory licence for translation for educational purposes	licence to translate, for broadcast
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any work, and any text incorporated in an audiovisual work that is itself prepared and

⁹⁷⁴ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

	published for school and university use
Licence applicant/entity	Djibouti Radio and Television
Purpose of licence	translation is used only in broadcasts intended exclusively for teaching or for the dissemination of the result of specialized research to experts in a particular profession
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

Provision	Art. 57
Nature of compulsory licence for reproduction for educational purposes	non-exclusive compulsory licence for reproduction and publication in Djibouti
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	literary, scientific or artistic work published in print or as an audiovisual reproduction or in any other analogous form of reproduction
Licence applicant/entity	
Purpose of licence	school teaching and university requirements
Condition of licence	work in print/audiovisual reproduction was not offered for sale at a price comparable to that in use for similar works, or all previous editions are out of print, after: <ul style="list-style-type: none"> • 5 years from first publication • 3 years from first publication of a work of natural and physical sciences and technology • 7 years from first publication of works that belong to the realm of the imagination, such as novels and poetic, dramatic and musical works, as well as art books, encyclopaedias and anthologies
Compulsory licence fee(s)	owner of reproduction right to receive just and equitable compensation
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Ministry responsible for culture

9. TPM/RMI Exceptions for Educational Purposes

Dominica

1. Legislation Reviewed

Copyright Act 2003 (Act 5 of 2003)

2. Private/Personal Use

Provision	s 63
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ⁹⁷⁵
Entity exercising private/personal use	any person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction by electronic means of whole or substantial part of book or recording of musical work, whole or substantial part of a digital database, a computer program, any work where "reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other copyright owner"
Subject to Attribution	
Subject to Remuneration	not required ("without the authorization of the author or owner of copyright")

3. Quotations

Provision	s 65
Scope of quotation	reproduction, in the form of quotation
Type(s) of source work(s)	a short part of a published work that has been made available, (a performance, sound recording, broadcast) ⁹⁷⁶
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with "fair practice"; to determine if the reproduction constitutes "fair practice", the court shall take account of all factors, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the fact in relation to the whole of the work; (c) the effect of that act upon the potential market

⁹⁷⁵ S 30(d) (extending copyright limitations to neighbouring rights).

⁹⁷⁶ S 30(d) (extending copyright limitations to neighbouring rights).

	on the commercial value of the work ⁹⁷⁷ reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("without the authorization of the author or other owner of copyright")

4. Research/Educational Reproduction

Provision	s 67(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of work
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by CMO of which educational institution is or should be aware
Frequency/copies and limits	to the extent justified by the purpose isolated one; if repeated, each occurrence be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on all copies made as far as practicable) ⁹⁷⁸
Subject to Remuneration	not required ("without the authorization of ... the author or other owner of copyright")

Provision	s 30(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast ⁹⁷⁹
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

Provision	s 30(c)
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⁹⁷⁷ S 66.

⁹⁷⁸ S 67(2).

⁹⁷⁹ S 30(b).

Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast ⁹⁸⁰
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to-face teaching activities
Condition of reproduction	except for performances and phonograms which have been published as teaching or instructional materials
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 67(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing, sound or visual recordings
Type(s) of source work(s)	short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (on all copies made as far as practicable) ⁹⁸¹
Subject to Remuneration	not required ("without the authorization of ... the author or other owner of copyright")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

⁹⁸⁰ S 30(c).

⁹⁸¹ S 67(2).

Dominican Republic

1. Legislation Reviewed

Law No. 65-00 on Copyright

2. Private/Personal Use

Provision	Art. 37
Scope of private/personal use	reproduce
Type(s) of source work(s)	a literary or scientific work, (performance, phonogram, broadcast) ⁹⁸²
Entity exercising private/personal use	
Purpose of private/personal use	personal use and not for profitmaking purposes
Condition of private/personal use	
Frequency/copies and limits	once and in a single copy
Preclusions (not part of private/personal use)	computer program ⁹⁸³
Subject to Attribution	not required
Subject to Remuneration	equitable remuneration for reprographic reproduction or for private copying of a sound or audiovisual recording, as established in the Regulations, for rightholder

Provision	Art. 44(4)
Scope of private/personal use	private communications
Type(s) of source work(s)	works, (performance, phonogram, broadcast) ⁹⁸⁴
Entity exercising private/personal use	
Purpose of private/personal use	domestic environment
Condition of private/personal use	without being reproduced not for profitmaking purposes
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("sole exceptions to the right of public communication")

3. Quotations

Provision	Art. 31
Scope of quotation	quote an author by transcribing the necessary passages
Type(s) of source work(s)	works, (performance, phonogram, broadcast) ⁹⁸⁵

⁹⁸² Art. 134 (extending limitations and exceptions to neighbouring rights).

⁹⁸³ Art. 37 (providing that computer programs are governed by guidelines expressly established).

⁹⁸⁴ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁹⁸⁵ Art. 134 (extending limitations and exceptions to neighbouring rights).

Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	they are not of such length and continuity that they might reasonably be considered a simulated, substantial reproduction of the content of his work that causes injury to the author thereof
Subject to Attribution	source (other info identifying the work quoted), title, author
Subject to Remuneration	where inclusion of works of others constitutes main part of the new work: equitable assessment to award proportional amount to each of holders of rights in included works

4. Research/Educational Reproduction

Provision	Art. 32
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles lawfully published in newspapers or magazines, or brief extracts from lawfully published works, (performances, phonograms, broadcasts) ⁹⁸⁶
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or for the holding of examinations in educational establishments
Condition of reproduction	such use is carried out in accordance with "fair practice" use does not entail sale or any other transaction for payment no direct or indirect profitmaking purposes
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may be reproduced")

Provision	Art. 40
Scope of research/educational reproduction	noting down and collection
Type(s) of source work(s)	lectures or talks delivered at establishments of higher, secondary or primary education
Entity exercising reproduction	students to whom lectures/talks are addressed
Purpose of educational reproduction	
Condition of reproduction	full or partial reproduction, distribution or communication of notes prohibited without written authorization of lecturer/speaker
Frequency/copies and limits	
Preclusions (not part of	

⁹⁸⁶ Art. 134 (extending limitations and exceptions to neighbouring rights).

research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may be freely noted down and collected")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 44(1)
Scope of broadcast/communication/recording	communications
Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ⁹⁸⁷
Entity exercising broadcast/communication/recording	within the grounds or buildings of educational institutions
Purpose of broadcast/communication/recording	strictly educational purposes
Condition of broadcast/communication/recording	without being reproduced no charge whatsoever is made for admission
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("sole exceptions to the right of public communication")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 45
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable compulsory licence, for translation
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works, (performances, phonograms, broadcasts) ⁹⁸⁸
Licence applicant/entity	
Purpose of licence	
Condition of licence	to ensure a correct translation of the work
Compulsory licence fee(s)	holder of compulsory licence to pay a equitable remuneration to right owner ⁹⁸⁹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

⁹⁸⁷ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁹⁸⁸ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁹⁸⁹ Art. 46.

Provision	Art. 45
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, non-transferable compulsory licence, for reproduction
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works, (performances, phonograms, broadcasts) ⁹⁹⁰
Licence applicant/entity	
Purpose of licence	
Condition of licence	to ensure an accurate reproduction of the edition
Compulsory licence fee(s)	holder of compulsory licence to pay a equitable remuneration to right owner ⁹⁹¹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

9. TPM/RMI Exceptions for Educational Purposes

⁹⁹⁰ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁹⁹¹ Art. 46.

Ecuador

1. Legislation Reviewed

Intellectual Property Law (Consolidation No. 2006-13)

2. Private/Personal Use

Provision	Art. 108
Scope of private/personal use	"private copying": the domestic copying, or reprographic reproduction in a single copy by the original acquirer
Type(s) of source work(s)	(lawfully circulating) phonogram or videogram or literary work
Entity exercising private/personal use	natural person who carries out reproduction
Purpose of private/personal use	exclusively for non-profitmaking purposes
Condition of private/personal use	copies may not be used in a manner contrary to fair use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	compensatory remuneration by levy on manufacturer/importer of tapes, material carriers and reproduction equipment, ⁹⁹² to accrue to author, performer and phonogram producer; ⁹⁹³ otherwise private copying using media or reproduction equipment for which compensatory remuneration has not been paid will be copyright and related rights infringement

Provision	Art. 83(k)
Scope of private/personal use	annotation and collection
Type(s) of source work(s)	lessons and lectures given at universities, polytechnic schools and higher technical and technological institutes, colleges, schools, and teaching and training centers in general
Entity exercising private/personal use	those to whom they are addressed
Purpose of private/personal use	personal use
Condition of private/personal use	fair use is respected ⁹⁹⁴
Frequency/copies and limits	
Preclusions (not part of private/personal use)	normal exploitation of the work is not adversely affected or injury caused to the right holder ⁹⁹⁵
Subject to Attribution	
Subject to Remuneration	not required ("not ... be subject to any remuneration")

⁹⁹² Art. 106.⁹⁹³ Art. 105.⁹⁹⁴ Art. 83 (main provision).⁹⁹⁵ Art. 83 (main provision).

3. Quotations

Provision	Art. 83(a)
Scope of quotation	inclusion in a given work
Type(s) of source work(s)	fragments of other already-disclosed works, by other people, in written, aural or audiovisual form, or individual three dimensional, photographic, figurative or analogous works
Entity exercising quotation	
Purpose of quotation	by way of quotation or for purpose of analysis, comment or critical assessment, for teaching or research purposes
Condition of quotation	extent justified by the purpose of the inclusion fair use is respected ⁹⁹⁶
Preclusions (not part of quotation)	normal exploitation of the work is not adversely affected or injury caused to the right holder ⁹⁹⁷
Subject to Attribution	source, author
Subject to Remuneration	not required ("not ... be subject to any remuneration")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁹⁹⁶ Art. 83 (main provision).⁹⁹⁷ Art. 83 (main provision).

Egypt

1. Legislation Reviewed

Law No. 82 of 2002 on the Protection of Intellectual Property Rights

2. Private/Personal Use

Provision	Art. 171(2)
Scope of private/personal use	make a copy
Type(s) of source work(s)	work
Entity exercising private/personal use	third parties
Purpose of private/personal use	one's exclusive personal use
Condition of private/personal use	
Frequency/copies and limits	a single copy
Preclusions (not part of private/personal use)	copy shall not hamper the normal exploitation of the work nor cause undue prejudice to the legitimate interests of the author or copyright holders author or successor may, after publication of work, prevent third parties from reproducing/copying the following without authorisation: works of fine, applied or plastic arts (unless displayed in a public place), works of architecture, all or a substantial part of the notes of a musical work, a database or computer program
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

Provision	Art. 171(3)
Scope of private/personal use	make copy or adaptation
Type(s) of source work(s)	a computer program
Entity exercising private/personal use	any person (with consent of legitimate owner of the program)
Purpose of private/personal use	archiving purposes or replace lost/destroyed/invalid original copy, even if exceeding the extent necessary for the use of the program inasmuch as it remains within the limits of the purpose for which consent was initially granted
Condition of private/personal use	
Frequency/copies and limits	a single copy or adaptation
Preclusions (not part of private/personal use)	original/adapted copy to be destroyed upon expiration of property title
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

Provision	Art. 171(8) 1 st item
Scope of private/personal use	making a copy

Type(s) of source work(s)	a work as a published article, a short work or an extract of a work
Entity exercising private/personal use	through the intermediary of a documentation and archiving center or through a bookshop not aiming at making any direct or indirect profit
Purpose of private/personal use	only for study or research purposes
Condition of private/personal use	
Frequency/copies and limits	a single copy made or at different occasions
Preclusions (not part of private/personal use)	
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

Provision	Art. 171(1)
Scope of private/personal use	perform
Type(s) of source work(s)	a publicly available work
Entity exercising private/personal use	
Purpose of private/personal use	in family context
Condition of private/personal use	no direct or indirect financial remuneration is obtained
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

3. Quotations

Provision	Art. 171(4)
Scope of quotation	make an analysis, or excerpts or quotations
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism, discussion or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

4. Research/Educational Reproduction

Provision	Art. 171(7)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	an article, a short work or extracts therefrom
Entity exercising reproduction	
Purpose of educational reproduction	necessary for teaching purposes in educational institutes
Condition of reproduction	
Frequency/copies and limits	reproduction is made once or on different separate occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author indicated on all copies
Subject to Remuneration	not required ("author may not ... prevent")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 171(1)
Scope of school performance	perform
Type(s) of source work(s)	a publicly available work
Entity exercising school performance	
Purpose of school performance	student gathering within an educational institution
Condition of school performance	no direct or indirect financial remuneration is obtained
Preclusions (not part of school performance)	
Subject to Attribution	without prejudice to author's moral rights
Subject to Remuneration	not required ("author may not ... prevent")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 170
Nature of compulsory licence for translation for educational purposes	a personal licence for the translation or both, translation and reproduction
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed as of Oct 10, 1994
Type(s) of source work(s)	any work
Licence applicant/entity	any person
Purpose of licence	meeting teaching requirements of all kinds and levels
Condition of licence	"to the extent that such license is not in contradiction with the normal exploitation of the work or does not unduly prejudice the legitimate interests of the author or the copyright holders" ⁹⁹⁸
Compulsory licence fee(s)	equitable remuneration to author or his successor; fees due to not exceed 1,000 pounds for each work ⁹⁹⁹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent ministry

Provision	Art. 170
Nature of compulsory licence for reproduction for educational purposes	a personal licence for the reproduction
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed as of Oct 10, 1994
Type(s) of source work(s)	any work
Licence applicant/entity	any person
Purpose of licence	meeting teaching requirements of all kinds and levels
Condition of licence	"to the extent that such license is not in

⁹⁹⁸ Art. 170.⁹⁹⁹ Art. 170 4th item.

	contradiction with the normal exploitation of the work or does not unduly prejudice the legitimate interests of the author or the copyright holders ¹⁰⁰⁰
Compulsory licence fee(s)	equitable remuneration to author or his successor; fees due to not exceed 1,000 pounds for each work ¹⁰⁰¹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent ministry

9. TPM/RMI Exceptions for Educational Purposes

¹⁰⁰⁰ Art. 170.

¹⁰⁰¹ Art. 170 4th item.

El Salvador

1. Legislation Reviewed

Law on the Promotion and Protection of Intellectual Property Rights (Legislative Decree No. 604 of 15 July 1993)

2. Private/Personal Use

Provision	Art. 45(a)
Scope of private/personal use	production of work
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	personal and exclusive benefit of the user
Condition of private/personal use	
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	user made copy himself with his own facilities the normal exploitation of the work is not affected and the legitimate interests of the author are not unjustifiably prejudiced thereby
Subject to Attribution	
Subject to Remuneration	not required ("allowed without ... remuneration")

Provision	Art. 44(a)
Scope of private/personal use	communication ¹⁰⁰²
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	made in family circle
Condition of private/personal use	no direct or indirect gainful intent
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of remuneration")

Provision	Art. 45(b)
Scope of private/personal use	photomechanical reproduction, such as photocopying and microfilming
Type(s) of source work(s)	small parts of a protected work or to works that are out of print
Entity exercising private/personal use	
Purpose of private/personal use	exclusive personal use

¹⁰⁰² Art. 9 (defining "public communication" as the act by which the work becomes accessible to the public by any means or processes, and also the procedures to be observed for the work to become accessible to the public, and includes stage performances, public projections or showings of audiovisual works, broadcasting, transmission by wire etc., retransmission, receiving, public presentation, public access by means of telecommunication systems and the dissemination of signs, words etc. by any known or as yet unknown process).

Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	any use of parts reproduced for other than personal purposes, made by any means or process and in competition with author's exclusive right to exploit his work, shall be treated as unlawful reproduction
Subject to Attribution	
Subject to Remuneration	not required ("allowed without ... remuneration")

Provision	Art. 85(c).1
Scope of private/personal use	reproduction of recordings
Type(s) of source work(s)	broadcasts
Entity exercising private/personal use	
Purpose of private/personal use	use for private purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("right to authorize or prohibit ... except")

3. Quotations

Provision	Art. 46
Scope of quotation	make brief quotations
Type(s) of source work(s)	lawfully published works
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	made in accordance with proper practice and to extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without ... payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 41
Scope of research/educational reproduction	reproduction (and optionally translation)
Type(s) of source work(s)	short fragments of literary, scientific or artistic works
Entity exercising reproduction	
Purpose of educational reproduction	teaching, science or literary criticism or research
Condition of reproduction	texts reproduced are not altered
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	reproduction does not adversely affect the normal exploitation of the work or prejudice the legitimate interests of the author

Subject to Attribution	source unmistakably specified
Subject to Remuneration	not required ("shall be lawful")

Provision	Art. 45(c)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles, brief extracts or lawfully published short works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational institutions
Condition of reproduction	no gainful intent use is made in accordance with proper practice
Frequency/copies and limits	extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("allowed without ... remuneration")

Provision	Art. 85(c).4
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	recordings of broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	used solely for teaching or research purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("right to authorize or prohibit ... except")

Provision	Art. 45(c)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	for its educational purposes
Condition of reproduction	no recording if certified licensing scheme under s 135 providing for grant of licences
Frequency/copies and limits	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁰³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("allowed without ... remuneration")

¹⁰⁰³ S 39(3).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 41
Scope of anthologies/compilations limitation/exception	reproduce (and optionally translate), in publications or chrestomathies,
Type(s) of source work(s)	short fragments of literary, scientific or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use [for the educational purposes] ¹⁰⁰⁴ in an educational establishment
Condition of anthologies/compilations limitation/exception	texts reproduced are not altered
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction does not adversely affect the normal exploitation of the work or prejudice the legitimate interests of the author
Subject to Attribution	source unmistakably specified
Subject to Remuneration	not required ("shall be lawful")

6. School Performances

Provision	Art. 44(c)
Scope of school performance	communication [includes performance, projection] ¹⁰⁰⁵
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	exclusively educational purposes
Condition of school performance	take place in teaching establishments no gainful intent
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of remuneration")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 77
Nature of compulsory licence for translation	compulsory licence, for translations

¹⁰⁰⁴ S 37(4).¹⁰⁰⁵ Art. 9 (defining "public communication" as the act by which the work becomes accessible to the public by any means or processes, and also the procedures to be observed for the work to become accessible to the public, and includes stage performances, public projections or showings of audiovisual works, broadcasting, transmission by wire etc., retransmission, receiving, public presentation, public access by means of telecommunication systems and the dissemination of signs, words etc. by any known or as yet unknown process). In this context, this limitation/exception is classified as one pertaining to "performance" instead of "communication" in the sense used in this study.

for educational purposes	
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	provided for in ratified international conventions
Condition of licence	subject to compliance with the requirements laid down in the international conventions
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent court

Provision	Art. 77
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproductions
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	provided for in ratified international conventions
Condition of licence	subject to compliance with the requirements laid down in the international conventions
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent court

9. TPM/RMI Exceptions for Educational Purposes

Equatorial Guinea

1. Legislation Reviewed

Law of January 10, 1879 on Intellectual Property

2. Private/Personal Use

3. Quotations

Provision	Art. 7
Scope of quotation	reproduce, and include part of text
Type(s) of source work(s)	works of others
Entity exercising quotation	
Purpose of quotation	comments, criticisms and notes
Condition of quotation	included text [from source works] must be necessary [for purpose of comments, criticisms and notes]
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without permission of the owner")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Eritrea

1. Legislation Reviewed

Provisional Commercial Code of Eritrea and Provisional Civil Code of Eritrea of 1993 (Extracts relating to Intellectual Property rights)

2. Private/Personal Use

Provision	Art. 1656
Scope of private/personal use	private performances
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	a family gathering
Condition of private/personal use	free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not forbid")

Provision	Art. 1660(2)
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private use only
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

3. Quotations

Provision	Art. 1660(1)
Scope of quotation	analyses and press reviews
Type(s) of source work(s)	work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("author cannot forbid")

Provision	Art. 1661
Scope of quotation	short quotations
Type(s) of source work(s)	work
Entity exercising quotation	
Purpose of quotation	

Condition of quotation	do not exceed, in work in which they are included, forty lines (a poetical work) or ten thousand letters (any other work)
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("author cannot forbid")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 1656
Scope of school performance	private performances
Type(s) of source work(s)	a work
Entity exercising school performance	
Purpose of school performance	in a school
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not forbid")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 1673
Nature of compulsory licence for reproduction for educational purposes	authorization of presentation or reproduction of a work of its adaptation, notwithstanding the author's opposition
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	after such work has been published by its author or his heirs
Licence applicant/entity	
Purpose of licence	presentation or reproduction in the general interest
Condition of licence	conditions and forms of authorisation shall be determined by a special law public authorities may not authorize the alteration of a work
Compulsory licence fee(s)	fair compensation to the author
Price of publication	
Distribution conditions	
Grantor of compulsory licence	public authorities

9. TPM/RMI Exceptions for Educational Purposes

Estonia

1. Legislation Reviewed

Copyright Act 1992 (RT I 1992, 49, 615) (as amended up to Act. RT I, 30.10.2014)

2. Private/Personal Use

Provision	s 18
Scope of private/personal use	reproduction or translation
Type(s) of source work(s)	a lawfully published work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	personal use
Condition of private/personal use	activities are not carried out for commercial purposes
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture and landscape architecture, visual art of limited edition, notes in reprographic form, electronic database, computer program ¹⁰⁰⁶ use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰⁰⁷
Subject to Attribution	
Subject to Remuneration	non-reprographic reproduction: not required ¹⁰⁰⁸ reprographic reproduction: equitable remuneration payable by Government calculated on basis of state budget funds and number of works registered in database of national bibliography published in 10 years preceding submission of application, to account of legal representative to be distributed among authors and publishers ¹⁰⁰⁹

Provision	ss 26, 27
Scope of private/personal use	reproduction or translation
Type(s) of source work(s)	audiovisual works or sound recordings
Entity exercising private/personal use	a user (not a legal person) ¹⁰¹⁰
Purpose of private/personal use	private use (scientific research, studies, etc.)
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰¹¹

¹⁰⁰⁶ ss 24 (excepting use of computer program for backup/archival purposes and for observation, study or testing); 25 (excepting decompilation of computer program).

¹⁰⁰⁷ S 17 (subjecting ss 18-25 to this general limitation to the economic rights of authors).

¹⁰⁰⁸ Ss 17, 18.

¹⁰⁰⁹ S 27¹.

¹⁰¹⁰ S 26(2).

Subject to Attribution	
Subject to Remuneration	levy on materials (storage media and recording devices ¹⁰¹²), payable by manufacturer, importer, seller, to account of appointed CMO ¹⁰¹³ to be distributed among author, performer, producer of phonogram ¹⁰¹⁴

Provision	s 75(1)(1)
Scope of private/personal use	use, including by reproduction
Type(s) of source work(s)	performance, phonogram, radio or television broadcast or recordings thereof, film
Entity exercising private/personal use	natural persons
Purpose of private/personal use	private use (scientific research, studies, etc.)
Condition of private/personal use	reproduction not carried out for commercial purposes
Frequency/copies and limits	
Preclusions (not part of private/personal use)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰¹⁵
Subject to Attribution	
Subject to Remuneration	levy ¹⁰¹⁶ on materials (storage media and recording devices ¹⁰¹⁷), payable by manufacturer, importer, seller, to account of appointed CMO ¹⁰¹⁸ to be distributed among author, performer, producer of phonogram ¹⁰¹⁹

3. Quotations

Provision	s 19(1)
Scope of quotation	summaries and quotations
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, radio or television broadcast or recordings thereof, film) ¹⁰²⁰
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation does not exceed extent justified by purpose

¹⁰¹¹ S 75(2) (subjecting s 75 exceptions to this general limitation).

¹⁰¹² S 27(5) (defining storage media and recording devices as those which, due to their technical characteristics, do not enable the reproduction of audiovisual works and sound recordings of works as single copies). s 27(7) (3% levy for recording devices, 8% levy for storage media).

¹⁰¹³ S 27(12), (13).

¹⁰¹⁴ Ss 26(1), 27(8). Refer to s 27 and established procedure for additional details.

¹⁰¹⁵ S 75(2) (exceptions to this general limitation).

¹⁰¹⁶ S 75(1)(1) is subject to ss 26, 27 ("taking account of the provisions of ss 26 and 27 of this Act).

¹⁰¹⁷ S 27(5) (defining storage media and recording devices as those which, due to their technical characteristics, do not enable the reproduction of audiovisual works and sound recordings of works as single copies). s 27(7) (3% levy for recording devices, 8% levy for storage media).

¹⁰¹⁸ S 27(12), (13).

¹⁰¹⁹ Ss 26(1), 27(8). Refer to s 27 and established procedure for additional details.

¹⁰²⁰ S 75(1)(6) (extending limitations in Chapter IV to related rights).

	idea of whole as a whole which is being summarized or quoted is conveyed correctly
Preclusions (not part of quotation)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰²¹
Subject to Attribution	name of work, source, author (if in source) ¹⁰²²
Subject to Remuneration	not required ("without payment of remuneration") ¹⁰²³

4. Research/Educational Reproduction

Provision	s 19(2)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, radio or television broadcast or recordings thereof, film) ¹⁰²⁴
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching and scientific research
Condition of reproduction	not carried out for commercial purposes
Frequency/copies and limits	to extent justified by purpose
Preclusions (not part of research/educational reproduction)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰²⁵
Subject to Attribution	name of work, source, author (if in source) ¹⁰²⁶
Subject to Remuneration	not required ("without payment of remuneration") ¹⁰²⁷

Provision	s 75(1)(2)
Scope of research/educational reproduction	use
Type(s) of source work(s)	performance, phonogram, radio or television broadcast or recordings thereof, film
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching and scientific research
Condition of reproduction	not carried out for commercial purposes
Frequency/copies and limits	to extent justified by purpose
Preclusions (not part of research/educational reproduction)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰²⁸
Subject to Attribution	source (if possible)
Subject to Remuneration	not required ("without payment of remuneration") ¹⁰²⁹

Provision	s 19(3)
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¹⁰²¹ Ss 17, 75(2) (exceptions to this general limitation).

¹⁰²² S 19.

¹⁰²³ Ss 17, 19.

¹⁰²⁴ S 75(1)(6) (extending limitations in Chapter IV to related rights).

¹⁰²⁵ Ss 17, 75(2) (exceptions to this general limitation).

¹⁰²⁶ S 19.

¹⁰²⁷ Ss 17, 19.

¹⁰²⁸ S 75(2) (exceptions to this general limitation).

¹⁰²⁹ S 75(1).

Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, radio or television broadcast or recordings thereof, film) ¹⁰³⁰
Entity exercising reproduction	educational and research institutions
Purpose of educational reproduction	teaching or scientific research
Condition of reproduction	activities not carried out for commercial purposes
Frequency/copies and limits	to extent justified by purpose
Preclusions (not part of research/educational reproduction)	use does not conflict with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰³¹
Subject to Attribution	name of work, source, author (if in source) ¹⁰³²
Subject to Remuneration	non-reprographic reproduction: not required ("without payment of remuneration") ¹⁰³³ reprographic reproduction: equitable remuneration payable by Government calculated on basis of state budget funds and number of works registered in database of national bibliography published in 10 years preceding submission of application, to account of legal representative to be distributed among authors and publishers ¹⁰³⁴

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 22
Scope of school performance	public performance
Type(s) of source work(s)	works, (performance, phonogram, radio or television broadcast or recordings thereof, film) ¹⁰³⁵
Entity exercising school performance	teaching staff and students of educational institutions
Purpose of school performance	direct teaching process in educational institutions
Condition of school performance	free audience consists of teaching staff and students or other persons (parents, guardians, caregivers, etc.) who are directly connected with educational institution where work is performed in public
Preclusions (not part of school performance)	use does not conflict with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰³⁶

¹⁰³⁰ S 75(1)(6) (extending limitations in Chapter IV to related rights).¹⁰³¹ Ss 17, 75(2) (exceptions to this general limitation).¹⁰³² S 19.¹⁰³³ Ss 17, 19.¹⁰³⁴ S 27¹.¹⁰³⁵ S 75(1)(6) (extending limitations in Chapter IV to related rights).¹⁰³⁶ Ss 17, 75(2) (exceptions to this general limitation).

Subject to Attribution	title, author (if available)
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	s 19(2)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, radio or television broadcast or recordings thereof, film) ¹⁰³⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching and scientific research
Condition of broadcast/communication/recording	not carried out for commercial purposes
Frequency/limits of broadcast/communication/recording	to extent justified by purpose
Preclusions (not part of broadcast/communication/recording)	use does not conflict with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰³⁸
Subject to Attribution	name of work, source, author (if in source) ¹⁰³⁹
Subject to Remuneration	not required ("without payment of remuneration") ¹⁰⁴⁰

Provision	s 75(1)(2)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performance, phonogram, radio or television broadcast or recordings thereof, film
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching and scientific research
Condition of broadcast/communication/recording	not carried out for commercial purposes
Frequency/limits of broadcast/communication/recording	to extent justified by purpose
Preclusions (not part of broadcast/communication/recording)	use does not complicit with normal exploitation of work, does not unreasonably prejudice legitimate interests of author ¹⁰⁴¹
Subject to Attribution	source (if possible)
Subject to Remuneration	not required ("without payment of remuneration") ¹⁰⁴²

¹⁰³⁷ S 75(1)(6) (extending limitations in Chapter IV to related rights).

¹⁰³⁸ Ss 17, 75(2) (exceptions to this general limitation).

¹⁰³⁹ S 19.

¹⁰⁴⁰ Ss 17, 19.

¹⁰⁴¹ S 75(2) (exceptions to this general limitation).

¹⁰⁴² S 75(1).

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Provision	s 80 ³ (4)
Scope of TPM/RMI exception	rightholder to adjust technological measures to his work/object of related rights which allow beneficiaries to freely use work/object, failing which ¹⁰⁴³ beneficiary has right to address copyright committee
Type(s) of source work(s)	work/object of related rights to which beneficiaries have legal access (not work/ object of related rights which have been made available to the public on the basis of an agreement in such a way that persons can use them from a place and at a time individually chosen by them)
Beneficiary exercising exception	“beneficiaries”: persons entitled to freely use work/object of related rights
Purpose of exception	to extent necessary for free use of work/object of related rights under ss 18, 19(2), (3)
Condition of exception	

¹⁰⁴³ S 803(4) (“if [beneficiary] and the rightholder fail to reach an agreement on application of the corresponding measures within a reasonable period of time...”).

Ethiopia

1. Legislation Reviewed

Copyright and Neighboring Rights Protection Proclamation No. 410/2004

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ¹⁰⁴⁴
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, musical notation, original or copy of fine art made and signed by author, whole or substantial part of a digital database, computer program ¹⁰⁴⁵ , reproduction "would conflict with or unreasonable [sic] harm the normal exploitation of the work or the legitimate interests of the author"
Subject to Attribution	
Subject to Remuneration	not required ("owner of copyright cannot forbid")

Provision	Art. 16
Scope of private/personal use	private performance
Type(s) of source work(s)	a work, (performance, sound recording, broadcast) ¹⁰⁴⁶
Entity exercising private/personal use	
Purpose of private/personal use	family gathering
Condition of private/personal use	given free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("owner of copyright cannot forbid")

3. Quotations

Provision	Art. 10
Scope of quotation	reproduction of quotation

¹⁰⁴⁴ Art. 32(d) (applying copyright limitations to neighbouring rights).

¹⁰⁴⁵ Art. 14 (excepting use of the computer program, for backup/archival purposes and adaptation for indispensable use).

¹⁰⁴⁶ Art. 32(d) (applying copyright limitations to neighbouring rights).

Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ¹⁰⁴⁷
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("owner of copyright cannot forbid")

4. Research/Educational Reproduction

Provision	Art. 11
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a published work or sound recording, (performance, broadcast) ¹⁰⁴⁸
Entity exercising reproduction	
Purpose of educational reproduction	teaching
Condition of reproduction	without exceeding fair practice
Frequency/copies and limits	to extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source (of work/sound recording) and author
Subject to Remuneration	not required ("owner of copyright cannot forbid")

Provision	Art. 32(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	performance, sound recording, broadcast ¹⁰⁴⁹
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... shall not apply")

Provision	Art. 32(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	performance, sound recording, broadcast ¹⁰⁵⁰ , except for performances and sound recordings

¹⁰⁴⁷ Art. 32(d) (applying copyright limitations to neighbouring rights).

¹⁰⁴⁸ Art. 32(d) (applying copyright limitations to neighbouring rights).

¹⁰⁴⁹ Art. 32 refers to rights in Arts. 26-31, which deal with the protection of performers, producers of sound recordings and broadcasting organizations.

	which have been published as teaching or instructional materials
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purpose of face-to-face teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring] rights ... shall not apply”)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 16
Scope of school performance	private performance
Type(s) of source work(s)	work, (performance, sound recording, broadcast) ¹⁰⁵¹
Entity exercising school performance	
Purpose of school performance	in a school
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("owner of copyright cannot forbid")

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 17
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation, [or reproduction or broadcasting]
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ¹⁰⁵²
Licence applicant/entity	
Purpose of licence	
Condition of licence	conditions to be determined by regulations Office may not authorize the alteration of a work
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	

¹⁰⁵⁰ Art. 32 refers to rights in Arts. 26-31, which deal with the protection of performers, producers of sound recordings and broadcasting organizations.

¹⁰⁵¹ Art. 32(d) (applying copyright limitations to neighbouring rights).

¹⁰⁵² Art. 32(d) (applying copyright limitations to neighbouring rights).

Grantor of compulsory licence	Ethiopian Intellectual Property Office
Provision	Art. 17
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproduction [or broadcasting]
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ¹⁰⁵³
Licence applicant/entity	
Purpose of licence	
Condition of licence	conditions to be determined by regulations Office may not authorize the alteration of a work
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Ethiopian Intellectual Property Office

9. TPM/RMI Exceptions for Educational Purposes

¹⁰⁵³ Art. 32(d) (applying copyright limitations to neighbouring rights).

Fiji

1. Legislation Reviewed

Copyright Act, 1999

2. Private/Personal Use

Provision	s 42
Scope of private/personal use	copying
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, (published edition) ¹⁰⁵⁴
Entity exercising private/personal use	by an individual
Purpose of private/personal use	research or private study
Condition of private/personal use	no collective licence available of which the individual is or should be aware under which the copying can be done
Frequency/copies and limits	book: one copy of the same work, or the same part of a work, on any one occasion ¹⁰⁵⁵ article in periodical: whole or part of work or edition and any artistic work therein, but not if another article dealing with a different subject matter is copied on the same occasion from the same issue of the periodical ¹⁰⁵⁶ other literary, dramatic, musical work or published edition: not more than 10% of the work/edition (including any artistic work) ¹⁰⁵⁷ others: may include copying the whole or part of the work, having regard to: the purpose of the copying, nature of the item copied, whether the item could have been obtained within a reasonable time at an ordinary commercial price, the effect of the copying on the potential market for, or value of, the work, and the amount and substantiality of the part copied taken in relation to the whole item ¹⁰⁵⁸
Preclusions (not part of private/personal use)	a computer program ¹⁰⁵⁹ works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer [sic] program ¹⁰⁶⁰ , any work where "reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other

¹⁰⁵⁴ S 42(2) (exempting from infringement copyright in the topographical arrangement of the edition or in any literary, dramatic, or musical work or part of a work in the edition).

¹⁰⁵⁵ S 42(3).

¹⁰⁵⁶ S 42(4).

¹⁰⁵⁷ S 42(5).

¹⁰⁵⁸ S 42((7).

¹⁰⁵⁹ S 42(8).

¹⁰⁶⁰ S 17 (excepting use of the computer program and for backup/archival purposes).

	copyright owner”
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

3. Quotations

Provision	s 41(1)
Scope of quotation	copying
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work, or of a performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁰⁶¹
Subject to Remuneration	not required ("does not infringe copyright")

4. Research/Educational Reproduction

Provision	s 43
Scope of research/educational reproduction	copying
Type(s) of source work(s)	whole or part of a literary, dramatic, musical or artistic work (not a computer program) ¹⁰⁶²
Entity exercising reproduction	school (includes a kindergarten, a primary school, an intermediate school, a secondary school, a special school) ¹⁰⁶³ educational establishment may apply to Minister for a certificate of exemption to entitle establishment to this [s 43] exemption ¹⁰⁶⁴
Purpose of educational reproduction	research or private study by an individual – for supply to any student or staff member of the school
Condition of reproduction	no collective licence available of which school is or should be aware ¹⁰⁶⁵ if payment required, no higher than cost of production with reasonable contribution to general expenses of school ¹⁰⁶⁶
Frequency/copies and limits	no more than one copy of the copied material to any student or staff member of that school ¹⁰⁶⁷ copies made cannot be dealt with (i.e. sold, let for

¹⁰⁶¹ S 2(1) (defining “sufficient acknowledgment”).

¹⁰⁶² S 43(4).

¹⁰⁶³ S 43(2).

¹⁰⁶⁴ S 44(3).

¹⁰⁶⁵ S 43(1).

¹⁰⁶⁶ S 43(3)(c).

¹⁰⁶⁷ S 43(2)(b).

	hire or offered or exposed for sale or hire) ¹⁰⁶⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 44(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	whole or part of a literary, dramatic, musical or artistic work (not a computer program) ¹⁰⁶⁹
Entity exercising reproduction	educational establishment (means a tertiary institution, a private training institution or a government training institute) ¹⁰⁷⁰
Purpose of educational reproduction	<p>"research or private study" by an individual – for supply to any student or staff member of educational establishment</p> <p>test for "research or private study": having regard to the purpose of the copying, nature of the item copied, price, the effect of the copying on the potential market for, or value of, the work, and the amount and substantiality of the part copied taken in relation to the whole item</p>
Condition of reproduction	no collective licence available of which school is or should be aware ¹⁰⁷¹
Frequency/copies and limits	<p>not more than one chapter of work, or 10% of work, whichever is less¹⁰⁷²</p> <p>copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire)¹⁰⁷³</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 44(6)
Scope of research/educational reproduction	copying by making an audio visual work or audio visual soundtrack
Type(s) of source work(s)	sound recording, audio visual work or audio visual soundtrack, broadcast or cable programme
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction, in the making of an audio visual work

¹⁰⁶⁸ S 84(2)(a).

¹⁰⁶⁹ S 44(7).

¹⁰⁷⁰ S 2(1) (defining "educational establishment").

¹⁰⁷¹ S 44(1). The licensing scheme may be sought under Part X of the Copyright Act, 1999. See, in particular, ss 140(d)(i) and 148(c). Under Division 5 of Part X, the Minister has power to extend the coverage of a licence for reprographic copying by educational establishments. S 159.

¹⁰⁷² S 44(2).

¹⁰⁷³ S 84(2)(d).

	or audio visual soundtrack
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁷⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 172(1)
Scope of research/educational reproduction	copying of a recording
Type(s) of source work(s)	a performance
Entity exercising reproduction	copying is done by or on behalf of a person who is to give, is giving, or has given the lesson, or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	in preparing a course of instruction, for use during the course of instruction, during a course of instruction, or after a course of instruction, in the making of an audio visual work or audio visual soundtrack, or relates to language learning or is conducted by correspondence
Condition of reproduction	no charge made for supply of copy ¹⁰⁷⁵
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁷⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 47
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, whether by way of setting the questions, communicating the questions to the candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁷⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright is not infringed")

¹⁰⁷⁴ S 84(2)(b).

¹⁰⁷⁵ S 172(1)(c).

¹⁰⁷⁶ S 175.

¹⁰⁷⁷ S 84(2)(d).

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 45(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic, or musical work
Entity exercising school performance	(a) by a student or staff member in the course of the activities of the school or establishment; or (b) by any person at the school or establishment for the purposes of instruction
Purpose of school performance	an audience consisting of persons who are students or staff members at a school or educational establishment or are "directly connected" ¹⁰⁷⁸ with the activities of the school or establishment
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not a performance in public")

Provision	s 45(2)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, audio visual work, broadcast, or cable programme
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction, to an audience consisting of persons who are students or staff members at a school or educational establishment or are "directly connected" ¹⁰⁷⁹ with the activities of the school or establishment
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a playing or showing of the work in public")

Provision	s 173
Scope of school performance	public performance
Type(s) of source work(s)	a sound recording, audio visual work, broadcast or cable programme

¹⁰⁷⁸ S 45(3) (defining "directly connected" as excluding a parent or guardian of a student at a school or educational establishment).

¹⁰⁷⁹ S 45(3) (defining "directly connected" as excluding a parent or guardian of a student at a school or educational establishment).

Entity exercising school performance	an educational establishment
Purpose of school performance	instruction
Condition of school performance	before an audience consisting of persons who are students or staff members at the establishment or persons "directly connected" ¹⁰⁸⁰ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe any of the [neighbouring] rights")

Provision	ss 75, 181
Scope of school performance	play
Type(s) of source work(s)	sound recording
Entity exercising school performance	
Purpose of school performance	part of the activities of, or for the benefit of, a club, society, or other organisation
Condition of school performance	club/society/organisation is not established or conducted for profit main objects of club/society/organisation are charitable or are concerned with the advancement of religion, education or social welfare proceeds of any charge for admissible to place where recording is to be heard are applied solely for purposes of club/society/organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright/[neighbouring] rights")

7. Educational Broadcasts/Communications/Recordings

Provision	s 46
Scope of broadcast/communication/recording	recording, or a copy of a recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of a school or educational establishment
Purpose of broadcast/communication/recording	educational purposes of that school or establishment
Condition of broadcast/communication/recording	unless there is a collective licence available of which the school or educational establishment is or should or be aware under which copying can

¹⁰⁸⁰ S 173(2) (defining "directly connected" as excluding a parent or guardian of a student at a school or educational establishment).

	be done special considerations by Copyright Tribunal regarding the licence charges payable by educational establishments under a Part X licensing scheme ¹⁰⁸¹
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁸²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing copyright")

Provision	s 174
Scope of broadcast/communication/recording	recording, or a copy of a recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁸³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any of the [neighbouring] rights")

Provision	s 172(2)(a)
Scope of broadcast/communication/recording	copying of a recording
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of setting or answering the questions in an examination
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁸⁴

¹⁰⁸¹ S 155(2) ("[T]he Tribunal shall, in considering what charges (if any) should be paid for a licence, have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.")

¹⁰⁸² S 84(2)(c).

¹⁰⁸³ S 118(3).175.

¹⁰⁸⁴ S 60(184(2)(d).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 172(2)(b)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a performance, recording, audiovisual work, broadcast, or cable programme
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of an examination by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁰⁸⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁰⁸⁵ S 84(2)(d).

Finland

1. Legislation Reviewed

Copyright Act (Act No. 404 of July 8, 1961, as amended up to 608/2015)

2. Private/Personal Use

Provision	s 12(1)
Scope of private/personal use	making copy
Type(s) of source work(s)	a work that has been made public, (performance, ¹⁰⁸⁶ sound recording, ¹⁰⁸⁷ video recording ¹⁰⁸⁸)
Entity exercising private/personal use	anyone
Purpose of private/personal use	for private use
Condition of private/personal use	work may not be altered without author's consent more than is necessitated by permitted use ¹⁰⁸⁹
Frequency/copies and limits	single copy copy may not be used for other purposes
Preclusions (not part of private/personal use)	work of architecture, a computer-readable database, a computer-readable computer program ¹⁰⁹⁰
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹⁰⁹¹
Subject to Remuneration	compensation payable by State based on surveyed frequency of private use to account of CMO to be distributed to authors ¹⁰⁹²

Provision	s 12(2)
Scope of private/personal use	making copy
Type(s) of source work(s)	a work that has been made public, (performance, ¹⁰⁹³ sound recording, ¹⁰⁹⁴ video recording ¹⁰⁹⁵)
Entity exercising private/personal use	a third party
Purpose of private/personal use	for private use of party ordering the copies
Condition of private/personal use	work may not be altered without author's consent more than is necessitated by permitted use ¹⁰⁹⁶
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	work of architecture, a computer-readable

¹⁰⁸⁶ S 45(5).¹⁰⁸⁷ S 46(3).¹⁰⁸⁸ S 46a(3).¹⁰⁸⁹ S 11(2).¹⁰⁹⁰ S 12(4).¹⁰⁹¹ S 11(2).¹⁰⁹² Ss 26a, 26b.¹⁰⁹³ S 45(5).¹⁰⁹⁴ S 46(3).¹⁰⁹⁵ S 46a(3).¹⁰⁹⁶ S 11(2).

use)	database, a computer-readable computer program, ¹⁰⁹⁷ musical work, cinematographic work, utility article or sculpture, any other work of art by artistic means ¹⁰⁹⁸
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹⁰⁹⁹
Subject to Remuneration	compensation payable by State based on surveyed frequency of private use to account of CMO to be distributed to authors ¹¹⁰⁰

3. Quotations

Provision	s 22
Scope of quotation	quotation
Type(s) of source work(s)	a work made public, (performance, ¹¹⁰¹ sound recording, ¹¹⁰² video recording, ¹¹⁰³ audio recording of performance and music recording containing images ¹¹⁰⁴)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	in accordance with proper usage to the extent necessary for the purpose work may not be altered without author's consent more than is necessitated by permitted use ¹¹⁰⁵
Preclusions (not part of quotation)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹⁰⁶
Subject to Remuneration	not required ("may be")

4. Research/Educational Reproduction

Provision	s 14(1)
Scope of research/educational reproduction	reproduction (not by photocopying or corresponding means)
Type(s) of source work(s)	a work, (performance, ¹¹⁰⁷ sound recording, ¹¹⁰⁸ video recording ¹¹⁰⁹), made public (but not a work

¹⁰⁹⁷ S 12(4).

¹⁰⁹⁸ S 12(3).

¹⁰⁹⁹ S 11(2).

¹¹⁰⁰ Ss 26a, 26b.

¹¹⁰¹ S 45(5).

¹¹⁰² S 46(3).

¹¹⁰³ S 46a(3).

¹¹⁰⁴ S 47(4).

¹¹⁰⁵ S 11(2).

¹¹⁰⁶ S 11(2).

¹¹⁰⁷ S 45(5).

¹¹⁰⁸ S 46(3).

¹¹⁰⁹ S 46a(3).

	(other than that transmitted on radio or television) whose author has prohibited the reproduction or communication of the work) ¹¹¹⁰
Entity exercising reproduction	
Purpose of educational reproduction	educational activities or in scientific research
Condition of reproduction	educational activities are not to be conducted for purpose of gain ¹¹¹¹ work may not be altered without author's consent more than is necessitated by permitted use ¹¹¹²
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹¹³
Subject to Remuneration	extended collective licence under s 26 ¹¹¹⁴

Provision	s 14(2)
Scope of research/educational reproduction	reproduction by direct recording of sound or image
Type(s) of source work(s)	a work, (performance, ¹¹¹⁵ sound recording, ¹¹¹⁶ video recording ¹¹¹⁷), made public, performed by a teacher or a student
Entity exercising reproduction	anyone
Purpose of educational reproduction	temporary use in educational activities
Condition of reproduction	copy thus made may not be used for other purposes educational activities are not to be conducted for purpose of gain ¹¹¹⁸ work may not be altered without author's consent more than is necessitated by permitted use ¹¹¹⁹
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹²⁰
Subject to Remuneration	not required ("may be reproduced")

¹¹¹⁰ S 14(4).

¹¹¹¹ S 54a.

¹¹¹² S 11(2).

¹¹¹³ S 11(2).

¹¹¹⁴ S 26 (providing for a licensee authorised by virtue of the extended collective licence to use a work in the same field whose author the CMO does not represent). Any disputes shall be settled by arbitration. S 54(1) items 2, 3.

¹¹¹⁵ S 45(5).

¹¹¹⁶ S 46(3).

¹¹¹⁷ S 46a(3).

¹¹¹⁸ S 54a.

¹¹¹⁹ S 11(2).

¹¹²⁰ S 11(2).

Provision	s 14(3)
Scope of research/educational reproduction	incorporation
Type(s) of source work(s)	parts of a literary work or (performance, ¹¹²¹ sound recording, ¹¹²² video recording ¹¹²³) that has been made public or, when the work is not extensive, the whole work
Entity exercising reproduction	
Purpose of educational reproduction	a test constituting part of the matriculation examination or into any other corresponding test
Condition of reproduction	educational activities are not to be conducted for purpose of gain ¹¹²⁴ work may not be altered without author's consent more than is necessitated by permitted use ¹¹²⁵
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹²⁶
Subject to Remuneration	not required ("may be incorporated")

Provision	s 16c(3)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a work, (performance, ¹¹²⁷ sound recording, ¹¹²⁸ video recording, ¹¹²⁹) in the collections of the National Audiovisual Archive, with the exception of a cinematographic work deposited by a foreign producer
Entity exercising reproduction	
Purpose of educational reproduction	research and higher education in cinematography
Condition of reproduction	educational activities are not to be conducted for purpose of gain ¹¹³⁰ work may not be altered without author's consent more than is necessitated by permitted use ¹¹³¹
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹³²

¹¹²¹ S 45(5).

¹¹²² S 46(3).

¹¹²³ S 46a(3).

¹¹²⁴ S 54a.

¹¹²⁵ S 11(2).

¹¹²⁶ S 11(2).

¹¹²⁷ S 45(5).

¹¹²⁸ S 46(3).

¹¹²⁹ S 46a(3).

¹¹³⁰ S 54a.

¹¹³¹ S 11(2).

Subject to Remuneration	not required ("may be used")
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5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 18
Scope of anthologies/compilations limitation/exception	incorporation into a literary or artistic work of compilation consisting of works by several authors which is printed or produced by corresponding means
Type(s) of source work(s)	minor parts of literary or musical works, or, if not extensive, the entire work, and work of art made public in connection with text, but not a work created for use in education
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	use in education
Condition of anthologies/compilations limitation/exception	work may not be altered without author's consent more than is necessitated by permitted use ¹¹³³ educational activities are not to be conducted for purpose of gain ¹¹³⁴
Frequency/copies and limits	5 years have elapsed from year of publication
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹³⁵
Subject to Remuneration	right of remuneration entitled to author

6. School Performances

Provision	s 21(1)
Scope of school performance	public performance
Type(s) of source work(s)	a published work, (performance, ¹¹³⁶ sound recording, ¹¹³⁷ audio recording of performance and music recording containing images ¹¹³⁸), but not dramatic or cinematographic works
Entity exercising school performance	
Purpose of school performance	[inter alia] education

¹¹³² S 11(2).

¹¹³³ S 11(2).

¹¹³⁴ S 54a.

¹¹³⁵ S 11(2).

¹¹³⁶ S 45(5).

¹¹³⁷ S 46(3).

¹¹³⁸ S 47(4).

Condition of school performance	work may not be altered without author's consent more than is necessitated by permitted use ¹¹³⁹ educational activities are not to be conducted for purpose of gain ¹¹⁴⁰
Preclusions (not part of school performance)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹⁴¹
Subject to Remuneration	

Provision	s 11(3)
Scope of school performance	public performance
Type(s) of source work(s)	a work, (performance, ¹¹⁴² sound recording, ¹¹⁴³ video recording ¹¹⁴⁴), made public (but not a work (other than that transmitted on radio or television) whose author has prohibited the reproduction or communication of the work) (made pursuant to s 14(1) under an extended collective licence) ¹¹⁴⁵
Entity exercising school performance	
Purpose of school performance	educational activities or in scientific research
Condition of school performance	work may not be altered without author's consent more than is necessitated by permitted use ¹¹⁴⁶ educational activities are not to be conducted for purpose of gain ¹¹⁴⁷
Preclusions (not part of school performance)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹⁴⁸
Subject to Remuneration	extended collective licence under s 26 ¹¹⁴⁹

See also s 16c(3) (use of a work in the collections of the National Audiovisual Archive for purposes of research and higher education in cinematography).

¹¹³⁹ S 11(2). See s 2(3)(2) (defining "making available to the public" as including the public performance of a work to an audience present at a performance).

¹¹⁴⁰ S 54a.

¹¹⁴¹ S 11(2). See s 2(3)(2) (defining "making available to the public" as including the public performance of a work to an audience present at a performance).

¹¹⁴² S 45(5).

¹¹⁴³ S 46(3).

¹¹⁴⁴ S 46a(3).

¹¹⁴⁵ S 14(4).

¹¹⁴⁶ S 11(2). See s 2(3)(2) (defining "making available to the public" as including the public performance of a work to an audience present at a performance).

¹¹⁴⁷ S 54a.

¹¹⁴⁸ S 11(2). See s 2(3)(2) (defining "making available to the public" as including the public performance of a work to an audience present at a performance).

¹¹⁴⁹ s 11(4) (providing that "provisions of subsection 3 shall correspondingly apply to use by virtue of extended collective licence"), which is set out in s 26.

7. Educational Broadcasts/Communications/Recordings

Provision	s 14(1)
Scope of broadcast/communication/recording	communication to the public (not by transmitting on radio or television)
Type(s) of source work(s)	a work, (performance, ¹¹⁵⁰ sound recording, ¹¹⁵¹ video recording ¹¹⁵²), made public (but not a work (other than that transmitted on radio or television) whose author has prohibited the reproduction or communication of the work) ¹¹⁵³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational activities or in scientific research
Condition of broadcast/communication/recording	educational activities are not to be conducted for purpose of gain ¹¹⁵⁴ work may not be altered without author's consent more than is necessitated by permitted use ¹¹⁵⁵
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (to extent and in manner required by proper usage) ¹¹⁵⁶
Subject to Remuneration	extended collective licence under s 26 ¹¹⁵⁷

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 50a(3)
Scope of TPM/RMI exception	circumventing effective technological protection measure
Type(s) of source work(s)	not a technological measure protecting a computer program
Beneficiary exercising exception	
Purpose of exception	course of research or education relating to cryptology
Condition of exception	work in which the technological measure has been circumvented for the purposes of listening or viewing shall not be reproduced

¹¹⁵⁰ S 45(5).¹¹⁵¹ S 46(3).¹¹⁵² S 46a(3).¹¹⁵³ S 14(4).¹¹⁵⁴ S 54a.¹¹⁵⁵ S 11(2).¹¹⁵⁶ S 11(2).¹¹⁵⁷ S 26 (providing for a licensee authorised by virtue of the extended collective licence to use a work in the same field whose author the CMO does not represent). Any disputes shall be settled by arbitration. S 54(1) items 2, 3.

	educational activities are not to be conducted for purpose of gain ¹¹⁵⁸
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¹¹⁵⁸ S 54a.

France

1. Legislation Reviewed

Intellectual Property Code (amended by Act No. 2016-925 of July 7, 2016)

2. Private/Personal Use

Provision	Art. L122-5.1
Scope of private/personal use	performances
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	private performance carried out exclusively within the family circle
Condition of private/personal use	gratuitous performance performances shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁵⁹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. L122-5.2
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	strictly for the private use of the copier
Condition of private/personal use	not intended for collective use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	copies of works of art to be used for the same purpose for which the original work was created copies of software other than the backup copy made as provided for in section II of Article L. 122-6-1 copies or reproductions of an electronic database reproductions shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶⁰
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

¹¹⁵⁹ Art. L122-5 proviso.

¹¹⁶⁰ Art. L122-5 proviso.

Provision	Art. L211-3.1
Scope of private/personal use	private performance
Type(s) of source work(s)	a performance, phonogram, videogram, audiovisual communication, broadcast, cable retransmission
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within the family circle
Condition of private/personal use	free performance
Frequency/copies and limits	
Preclusions (not part of private/personal use)	private performance shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶¹
Subject to Attribution	
Subject to Remuneration	not required ("beneficiaries [of neighbouring rights]... may not prohibit")

Provision	Art. L211-3.2
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, phonogram, videogram, audiovisual communication, broadcast, cable retransmission
Entity exercising private/personal use	
Purpose of private/personal use	private use by the person who has made them
Condition of private/personal use	not intended for any collective use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶²
Subject to Attribution	
Subject to Remuneration	not required ("beneficiaries [of neighbouring rights]... may not prohibit")

3. Quotations

Provision	Art. L122-5.3(a)
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	justified by critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	quotation shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶³

¹¹⁶¹ Art. L122-5 proviso.

¹¹⁶² Art. L122-5 proviso.

¹¹⁶³ Art. L122-5 proviso.

Subject to Attribution	source, author
Subject to Remuneration	not required ("author may not prohibit")
Provision	Art. L211-3.3
Scope of quotation	analyses and brief quotations
Type(s) of source work(s)	a performance, phonogram, videogram, audiovisual communication, broadcast, cable retransmission
Entity exercising quotation	
Purpose of quotation	justified by critical, polemic, educational, scientific or informatory nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	quotation shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶⁴
Subject to Attribution	source
Subject to Remuneration	not required ("beneficiaries [of neighbouring rights]... may not prohibit")

4. Research/Educational Reproduction

Provision	Art. L122-5.3(e)
Scope of research/educational reproduction	reproduction, including through a digital workspace to a public mainly composed of pupils, students, teachers or researchers directly involved in the act of teaching, training or research activity requiring such representation or reproduction
Type(s) of source work(s)	works that have been disclosed (excluding works designed for educational purposes and musical scores)
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching and research, including the development and dissemination of subjects exams or competitions to the exclusion of any entertainment or recreational activity
Condition of reproduction	not subject to any publication or dissemination to third parties the use of this representation or reproduction does not give rise to any commercial use
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	representation or reproduction shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶⁵

¹¹⁶⁴ Art. L122-5 proviso.

¹¹⁶⁵ Art. L122-5 proviso.

Subject to Attribution	source, author
Subject to Remuneration	a negotiated remuneration on a flat rate [for the author]

Provision	Art. L211-3.3
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	extracts of works/objects protected by neighbouring rights, that have been designed for educational purposes
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of illustration for teaching and research, excluding any entertainment or recreational activity
Condition of reproduction	the public to which this reproduction is intended is made up predominantly of pupils, students, teachers or researchers directly concerned use of this reproduction does not lead to any commercial use
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source
Subject to Remuneration	a negotiated remuneration on a flat rate [for the owners of the neighbouring rights]

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. L122-5.3(e)
Scope of broadcast/communication/recording	representation, including through a digital workspace to a public mainly composed of pupils, students, teachers or researchers directly involved in the act of teaching, training or research activity requiring such representation or reproduction
Type(s) of source work(s)	works that have been disclosed (excluding works designed for educational purposes and musical scores)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching and research, including the development and dissemination of subjects exams or competitions to the exclusion of any entertainment or recreational activity
Condition of broadcast/communication/recording	not subject to any publication or dissemination to third parties

	the use of this representation or reproduction does not give rise to any commercial use
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	representation shall not prejudice the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author ¹¹⁶⁶
Subject to Attribution	source, author
Subject to Remuneration	a negotiated remuneration on a flat rate [for the author]

Provision	Art. L211-3.3
Scope of broadcast/communication/recording	public communication
Type(s) of source work(s)	extracts of works/objects protected by neighbouring rights, that have been designed for educational purposes
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching and research, excluding any entertainment or recreational activity
Condition of broadcast/communication/recording	use of this communication does not lead to any commercial use
Frequency/limits of broadcast/communication/recording	the public to which this communication is intended is made up predominantly of pupils, students, teachers or researchers directly concerned
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source
Subject to Remuneration	a negotiated remuneration on a flat rate [for the owners of the neighbouring rights]

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. L331-7
Scope of TPM/RMI exception	rightholder who used effective technological measures in respect of his work to limit the number of copies to take appropriate measures, in consultation with the authorized consumer associations and other interested parties, to ensure for the "beneficiaries" the effective exercise of the exceptions
Type(s) of source work(s)	lawfully accessed work, phonogram, videogram,

¹¹⁶⁶ Art. L122-5 proviso.

	program
Beneficiary exercising exception	“beneficiaries”: users who use work/subject-matter for, <i>inter alia</i> , quotations (Art. L122-5.3), illustration for teaching and research (Arts. L122-5.3, L211-3 last para)
Purpose of exception	
Condition of exception	to the extent technically possible, exception to not have the effect of undermining normal exploitation of work or protected object, nor unreasonably prejudice the legitimate interests of the rights holder of the work or the protected object

Provision	Art. L331-9
Scope of TPM/RMI exception	publishers and distributors to not use technological measures to deprive “beneficiaries” the benefit of the exception
Type(s) of source work(s)	television services (on a medium and in digital format)
Beneficiary exercising exception	“beneficiaries”: users who benefit from private copying/use exception (Art. L122-5.2, L211-3.2)
Purpose of exception	
Condition of exception	

Provision	Art. L331-10
Scope of TPM/RMI exception	require rightholder who implement technological protection measures in respect of his work to bring to knowledge of beneficiary the access conditions to the reading of, and limitations made to
Type(s) of source work(s)	a work, videogram, program or phonogram
Beneficiary exercising exception	“beneficiaries”: users who access and benefit from private copying/use exception (Art. L122-5.2, L211-3.2)
Purpose of exception	
Condition of exception	

Provision	Art. L331-31.2
Scope of TPM/RMI exception	High Authority to ensure that implementation of technological measures by rightholder in respect of his work/protected object does not deprive “beneficiaries” the benefit of the exception
Type(s) of source work(s)	work/subject-matter
Beneficiary exercising exception	“beneficiaries”: users who reproduce/use work/protected object for, <i>inter alia</i> , quotations (Art. L122-5.3), illustrations for teaching and research (Arts. L122-5.3, 211-3.3)
Purpose of exception	High Authority to determine the manner of exercise of the exceptions including the minimum number of copies authorized under the private

	copying exception, depending on the type of work or protected object, various public modes of communication and the possibilities offered by technological protection available
Condition of exception	

Gabon

1. Legislation Reviewed

Law No. 1/87 of July 29, 1987, instituting Protection for Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 33
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	work, (performance, phonogram, radio or television broadcast), ¹¹⁶⁷ that has been lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 33
Scope of private/personal use	communication such as performance
Type(s) of source work(s)	work, (performance, phonogram, radio or television broadcast), ¹¹⁶⁸ that has been lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	made exclusively within a family circle
Condition of private/personal use	generate no receipts of any kind
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

3. Quotations

Provision	Art. 34
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a work, (short fragments of a performance, phonogram or radio or television broadcast), ¹¹⁶⁹ already made lawfully available to the public, including quotations from newspaper articles and periodicals in the form of press reviews

¹¹⁶⁷ Art. 85 item 1.

¹¹⁶⁸ Art. 85 item 1.

¹¹⁶⁹ Art. 85 item 4.

Entity exercising quotation	
Purpose of quotation	
Condition of quotation	comply with fair use and to the extent that they are justified by the scientific, critical, polemic, teaching or informatory purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be lawful")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 33
Scope of school performance	communications such as performance, execution
Type(s) of source work(s)	work has been lawfully made available to the public
Entity exercising school performance	
Purpose of school performance	strictly educational or welfare purposes
Condition of school performance	made free of charge [in premises reserved for that purpose] ¹¹⁷⁰
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33
Scope of broadcast/communication/recording	communications such as diffusion ¹¹⁷¹
Type(s) of source work(s)	work, (performance, phonogram, radio or television broadcast), ¹¹⁷² that has been lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	strictly educational or welfare purposes
Condition of broadcast/communication/recording	made free of charge
Frequency/limits of	[in premises reserved for that purpose] ¹¹⁷³

¹¹⁷⁰ *Quaere* whether this expression qualifies "during a religious service" or also "educational or welfare purposes".

¹¹⁷¹ Art. 29 (defining "diffusion" as public communication by any "other means" (in contradistinction to recitation, performance and public execution) serving to diffuse by wireless means the signs, sounds or images).

¹¹⁷² Art. 85 item 1.

¹¹⁷³ *Quaere* whether this expression qualifies "during a religious service" or also "educational or welfare purposes".

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 85 item 3
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, radio or television broadcast ¹¹⁷⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of teaching and scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("neighboring rights shall not apply")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 40
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-assignable compulsory licence, for translation, in Gabon
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works already made lawfully available to the public and their publication
Licence applicant/entity	
Purpose of licence	school, university or research use, needs of school and post-university teaching ¹¹⁷⁵
Condition of licence	grant of a license shall not prejudice the author's moral rights ¹¹⁷⁶
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

Provision	Art. 40
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, non-assignable compulsory licence, for reproduction and publication, in

¹¹⁷⁴ Art. 85 item 1.

¹¹⁷⁵ Art. 41.

¹¹⁷⁶ Art. 41. Moral rights are spelt out in Art. 25.

	Gabon
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works already made lawfully available to the public and their publication
Licence applicant/entity	
Purpose of licence	school, university or research use, needs of school and post-university teaching ¹¹⁷⁷
Condition of licence	grant of a license shall not prejudice the author's moral rights ¹¹⁷⁸
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

9. TPM/RMI Exceptions for Educational Purposes

¹¹⁷⁷ Art. 41.

¹¹⁷⁸ Art. 41. Moral rights are spelt out in Art. 25.

Gambia

1. Legislation Reviewed

Copyright Act, 2004

2. Private/Personal Use

Provision	s 27
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹¹⁷⁹ , any work where "reproduction would conflict with a normal exploitation of work or would otherwise unreasonably prejudice legitimate interests of author or other copyright owner" ¹¹⁸⁰
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the author or other owner")

Provision	s 43(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, broadcast, sound recording, audiovisual work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

Provision	s 14(a)
Scope of private/personal use	use, involving the reproduction in any material form, the communication to the public or the broadcasting, by way of fair dealing

¹¹⁷⁹ S 28 (excepting the temporary reproduction of a work).

¹¹⁸⁰ S 27(2)(e).

Type(s) of source work(s)	the whole programme-carrying signal or a substantial part thereof, ¹¹⁸¹ either in its original form or in any form recognisably derived from the original
Entity exercising private/personal use	
Purpose of private/personal use	scientific research, private use, criticism or review or the reporting of current events
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the right of the author")

3. Quotations

Provision	s 29
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author or other owner (if indicated on source)
Subject to Remuneration	not required ("without authorisation of the author or other owner")

Provision	s 43(d)
Scope of quotation	quotation, of short excerpts
Type(s) of source work(s)	a performance, sound recording, audio visual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice justified by informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

¹¹⁸¹ S 2(1) (defining "programme-carrying signals" electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;").

4. Research/Educational Reproduction

Provision	s 30(1)(a)
Scope of research/educational reproduction	reproduction, by way of illustration, in writing
Type(s) of source work(s)	short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching purposes
Condition of reproduction	no collective licence offered by a Collecting Society of which educational institution is or should be aware reproduction is compatible with fair practice
Frequency/copies and limits	does not exceed the extent justified by the purpose isolated one; if repeated, occurrence on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, title indicated on all copies
Subject to Remuneration	not required ("without authorisation of the author or other owner")

Provision	s 30(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	whose activities do not serve direct or indirect commercial gain no collective licence offered by a Collecting Society of which educational institution is or should be aware
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose isolated one; if repeated, occurrence on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, title indicated on all copies
Subject to Remuneration	not required ("without authorisation of the author or other owner")

Provision	s 14(a)
Scope of research/educational reproduction	use, involving the reproduction in any material form, by way of fair dealing

Type(s) of source work(s)	the whole programme-carrying signal or a substantial part thereof, ¹¹⁸² either in its original form or in any form recognisably derived from the original
Entity exercising reproduction	
Purpose of educational reproduction	scientific research, private use, criticism or review or the reporting of current events
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the right of the author")

Provision	s 14(c)
Scope of research/educational reproduction	reproduction and use of reproduction
Type(s) of source work(s)	a broadcast
Entity exercising reproduction	
Purpose of educational reproduction	in an educational institution or for the systematic instructional activities in any educational institution
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the right of the author")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 30(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in sound or visual recording
Type(s) of source work(s)	short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	isolated one; if repeated, occurrence on separate and unrelated occasions reproduction does not exceed the extent justified by the purpose

¹¹⁸² S 2(1) (defining "programme-carrying signals" electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;").

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title indicated on all copies
Subject to Remuneration	not required ("without authorisation of the author or other owner")

6. School Performances

Provision	s 43(c)
Scope of school performance	[use]
Type(s) of source work(s)	a performance, broadcast, sound recording, audiovisual work
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 43(c)
Scope of broadcast/communication/recording	[use]
Type(s) of source work(s)	a performance, broadcast, sound recording, audiovisual work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

Provision	s 14(a)
Scope of broadcast/communication/recording	use, involving the communication to the public or the broadcasting, by way of fair dealing

Type(s) of source work(s)	the whole programme-carrying signal or a substantial part thereof, ¹¹⁸³ either in its original form or in any form recognisably derived from the original
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	scientific research, private use, criticism or review or the reporting of current events
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the right of the author")

Provision	s 14(b)
Scope of broadcast/communication/recording	use, involving the broadcast
Type(s) of source work(s)	programme-carrying signals ¹¹⁸⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	systematic instructional activities
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the right of the author")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹¹⁸³ S 2(1) (defining "programme-carrying signals" electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;").

¹¹⁸⁴ S 2(1) (defining "programme-carrying signals" electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;").

Georgia

1. Legislation Reviewed

Law of Georgia on Copyright and Neighboring Rights (last amended as of May 4, 2010)

2. Private/Personal Use

Provision	Art. 21(1)
Scope of private/personal use	reproduce or make available to the public
Type(s) of source work(s)	a publicly available work by way of lawful publication
Entity exercising private/personal use	natural person
Purpose of private/personal use	only for personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole of book or musical notation or work of fine art, electronic databases, ¹¹⁸⁵ computer programs ¹¹⁸⁶ , audiovisual work or work fixed in phonogram or videogram
Subject to Attribution	
Subject to Remuneration	audiovisual work, phonogram: remuneration, paid by producers and importers of equipment (audio- and video recorders and other equipment) and of material carriers (audio and video tapes, cassettes, laser disks, compact disks, and other material carriers) ¹¹⁸⁷ , and collected by CMO, payable to author or other copyright owner other works: not required ("without payment of remuneration")

Provision	Art. 51(3)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, broadcast of a broadcasting organization and records thereof, and reproduction of a phonogram or videogram
Entity exercising private/personal use	natural persons
Purpose of private/personal use	personal use
Condition of private/personal use	reproduction carried out pursuant to Art. 21
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	

¹¹⁸⁵ Arts. 28 (excepting use and backup/archival of the computer program or database), 30 (excepting acts necessary for access to database contents and normal use).

¹¹⁸⁶ Arts. 28 (excepting use and backup/archival of the computer program or database), 29 (decompilation of a computer program).

¹¹⁸⁷ Art. 21(3), (4), (5). More details are spelt out in Art. 21(6) to (9).

Subject to Remuneration	audiovisual work, phonogram: remuneration, paid by producers and importers of equipment (audio- and video recorders and other equipment) and of material carriers (audio and video tapes, cassettes, laser disks, compact disks, and other material carriers) ¹¹⁸⁸ , and collected by CMO, payable to author or other copyright owner ¹¹⁸⁹ other works: not required ("shall be permitted ")
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Note: Art. 22(b) provides that a library or archive may, by reprographic reproduction, make a single copy of lawfully published individual articles and other small-volume works, or excerpts from written works (other than computer programs), at the request of natural persons, for educational, scientific or personal purposes.

3. Quotations

Provision	Art. 23(a)
Scope of quotation	quotations
Type(s) of source work(s)	original works made available to the public by means of lawful publication or making available to the public, including reproduction of short extracts from newspapers and journals for a printed survey
Entity exercising quotation	
Purpose of quotation	research, criticism or review
Condition of quotation	to the extent justified for the purpose of quotation
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without paying remuneration")

Provision	Art. 23(b)
Scope of quotation	use for illustrations
Type(s) of source work(s)	short extracts of works made available to the public by means of lawful publication, in printed matter, radio and television programs, sound and visual recordings of educational character
Entity exercising quotation	
Purpose of quotation	extent justified by the purpose to be achieved
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without paying remuneration")

Provision	Art. 51(2)(a)
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¹¹⁸⁸ Art. 21(3), (4), (5). More details are spelt out in Art. 21(6) to (9).

¹¹⁸⁹ Art. 51(3) (subjecting use to remuneration as prescribed by Art. 21).

Scope of quotation	quotations
Type(s) of source work(s)	a performance, phonogram, videogram and broadcast of a broadcasting organization and recordings thereof
Entity exercising quotation	
Purpose of quotation	research, criticism or review, and informatory purposes
Condition of quotation	to the extent justified for the purpose of quotation
Preclusions (not part of quotation)	shall not conflict with normal exploitation of the related rights and shall not unreasonably prejudice the lawful interests of the owners of the related rights ¹¹⁹⁰
Subject to Attribution	
Subject to Remuneration	not required ("without remuneration")

Provision	Art. 51(2)(b)
Scope of quotation	use of extracts, excerpts and illustrations
Type(s) of source work(s)	a performance, phonogram, videogram and broadcast of a broadcasting organization
Entity exercising quotation	
Purpose of quotation	teaching and scientific research
Condition of quotation	to the extent justified for the purpose
Preclusions (not part of quotation)	shall not conflict with normal exploitation of the related rights and shall not unreasonably prejudice the lawful interests of the owners of the related rights ¹¹⁹¹
Subject to Attribution	
Subject to Remuneration	not required ("without remuneration")

4. Research/Educational Reproduction

Provision	Art. 22(c)
Scope of research/educational reproduction	reprographic copies ¹¹⁹²
Type(s) of source work(s)	short extracts from the lawfully published individual articles and other small-volume works, or written works (other than computer programs)
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	teaching purposes
Condition of reproduction	without receiving direct or indirect profit
Frequency/copies and limits	to the extent justified by the set aim
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author

¹¹⁹⁰ Art. 51(1).

¹¹⁹¹ Art. 51(1).

¹¹⁹² Art. 4(o) (defining "reprographic reproduction (copying)" as the making of a copy of the original of a work, data or other material expressed by written or graphic means or of facsimiles of copies thereof in any size by any means of photocopying or other technical means; the recording in an electronic form (including digital), optical or other machine readable form shall not be deemed to reprographic reproduction).

Subject to Remuneration	not required ("without paying remuneration")
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5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Germany

1. Legislation Reviewed

Act on Copyright and Related Rights (Copyright Act, as amended up to Law of October 1, 2013)

2. Private/Personal Use

Provision	Art. 53(1)
Scope of private/personal use	copy, on any medium
Type(s) of source work(s)	a work, (a performance, ¹¹⁹³ an audio recording, ¹¹⁹⁴ a broadcast ¹¹⁹⁵)
Entity exercising private/personal use	a natural person, or another person authorized by natural person if no payment is received, or if it involves copies on paper or a similar medium made using a photomechanical technique or similar process
Purpose of private/personal use	private use
Condition of private/personal use	copy neither directly nor indirectly serve commercial purposes no obviously unlawfully-produced model or a model which has been unlawfully made available to the public is used for copying copies made may not be distributed nor communicated to the public ¹¹⁹⁶
Frequency/copies and limits	single copies
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹¹⁹⁷
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable by reproduction appliance or storage media [manufacturer/retailer/importer] used solely or together with other appliances, media or accessories for making such reproductions, and from operator of photocopies, ¹¹⁹⁸ through a collecting society ¹¹⁹⁹ to authors ¹²⁰⁰

¹¹⁹³ Art. 83.

¹¹⁹⁴ Art. 85(4).

¹¹⁹⁵ Art. 87(4).

¹¹⁹⁶ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

¹¹⁹⁷ Art. 53(7).

¹¹⁹⁸ Art. 54c.

¹¹⁹⁹ Art. 54h.

¹²⁰⁰ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.

Provision	Art. 53(2) first sentence, item 1
Scope of private/personal use	copies, or to have copies made
Type(s) of source work(s)	a work, (a performance, ¹²⁰¹ an audio recording, ¹²⁰² a broadcast ¹²⁰³)
Entity exercising private/personal use	
Purpose of private/personal use	for one's own scientific use
Condition of private/personal use	if and to the extent that such reproduction is necessary for the purpose and it does not serve a commercial purpose copies made may not be distributed nor communicated to the public ¹²⁰⁴
Frequency/copies and limits	single copies
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹²⁰⁵
Subject to Attribution	source (unless source is not named or not known), if reproduction of entire literary/musical work: publishing house and author, whether work abridged or other alterations made ¹²⁰⁶
Subject to Remuneration	equitable remuneration payable by reproduction appliance or storage media [manufacturer/retailer/importer] used solely or together with other appliances, media or accessories for making such reproductions, and from operator of photocopies, ¹²⁰⁷ through a collecting society ¹²⁰⁸ to authors ¹²⁰⁹

Provision	Art. 53(2) first sentence, item 2
Scope of private/personal use	copies, or to have copies made
Type(s) of source work(s)	a work, (a performance, ¹²¹⁰ an audio recording, ¹²¹¹ a broadcast ¹²¹²)
Entity exercising private/personal use	
Purpose of private/personal use	inclusion in a personal archive if and insofar as the reproduction is necessary for this purpose
Condition of private/personal use	one's own personal copy of the work is used as

¹²⁰¹ Art. 83.¹²⁰² Art. 85(4).¹²⁰³ Art. 87(4).¹²⁰⁴ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).¹²⁰⁵ Art. 53(7).¹²⁰⁶ Art. 63(1).¹²⁰⁷ Art. 54c.¹²⁰⁸ Art. 54h.¹²⁰⁹ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.¹²¹⁰ Art. 83.¹²¹¹ Art. 85(4).¹²¹² Art. 87(4).

	<p>model from which copy is made</p> <p>reproduction is effected on paper or similar medium by use of photographic or similar technique, or exclusively analogue use takes place, or “archive acting in the public interest and pursues no direct or indirect economic or commercial purpose”</p> <p>copies made may not be distributed nor communicated to the public¹²¹³</p>
Frequency/copies and limits	single copies
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹²¹⁴
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable by reproduction appliance or storage media [manufacturer/retailer/importer] used solely or together with other appliances, media or accessories for making such reproductions, and from operator of photocopies, ¹²¹⁵ through a collecting society ¹²¹⁶ to authors ¹²¹⁷

Provision	Art. 53(2) first sentence, item 4
Scope of private/personal use	single copies, or to have single copies made
Type(s) of source work(s)	(a) small parts of a released work or individual articles being released in newspapers or periodicals, (a performance, ¹²¹⁸ an audio recording, ¹²¹⁹ a broadcast ¹²²⁰) (b) a work, (a performance, ¹²²¹ an audio recording, ¹²²² a broadcast ¹²²³) which has been out of print for at least two years
Entity exercising private/personal use	
Purpose of private/personal use	for other personal use
Condition of private/personal use	reproduction is effected on paper or similar medium by use of photographic or similar

¹²¹³ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

¹²¹⁴ Art. 53(7).

¹²¹⁵ Art. 54c.

¹²¹⁶ Art. 54h.

¹²¹⁷ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.

¹²¹⁸ Art. 83.

¹²¹⁹ Art. 85(4).

¹²²⁰ Art. 87(4).

¹²²¹ Art. 83.

¹²²² Art. 85(4).

¹²²³ Art. 87(4).

	technique, or exclusively analogue use takes place copies made may not be distributed nor communicated to the public ¹²²⁴
Frequency/copies and limits	
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹²²⁵
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable by reproduction appliance or storage media [manufacturer/retailer/importer] used solely or together with other appliances, media or accessories for making such reproductions, and from operator of photocopies, ¹²²⁶ through a collecting society ¹²²⁷ to authors ¹²²⁸

Provision	Art. 53(4)
Scope of private/personal use	reproduction, not by means of manual transcription
Type(s) of source work(s)	a) graphic recordings of musical works, b) a book or a periodical, in the case of an essentially complete reproduction c) (a performance, ¹²²⁹ an audio recording, ¹²³⁰ a broadcast ¹²³¹)
Entity exercising private/personal use	
Purpose of private/personal use	inclusion in a personal archive if and insofar as the reproduction is necessary for this purpose
Condition of private/personal use	reproduction is effected on paper or similar medium by use of photographic or similar technique, or exclusively analogue use takes place, or “archive acting in the public interest and pursues no direct or indirect economic or commercial purpose” copies made may not be distributed nor communicated to the public ¹²³²

¹²²⁴ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

¹²²⁵ Art. 53(7).

¹²²⁶ Art. 54c.

¹²²⁷ Art. 54h.

¹²²⁸ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.

¹²²⁹ Art. 83.

¹²³⁰ Art. 85(4).

¹²³¹ Art. 87(4).

Frequency/copies and limits	
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹²³³
Subject to Attribution	
Subject to Remuneration	not required ("always be permissible")

Provision	Art. 53(4)
Scope of private/personal use	reproduction, not by means of manual transcription
Type(s) of source work(s)	a) graphic recordings of musical works, b) a book or a periodical, in the case of an essentially complete reproduction c) (a performance, ¹²³⁴ an audio recording, ¹²³⁵ a broadcast ¹²³⁶)
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	work has been out of print for at least two years copies made may not be distributed nor communicated to the public ¹²³⁷
Frequency/copies and limits	
Preclusions (not part of private/personal use)	public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works, reconstruction of architectural works (permissible only with consent of rightholder) ¹²³⁸
Subject to Attribution	
Subject to Remuneration	not required ("always be permissible")

3. Quotations

Provision	Art. 51
Scope of quotation	reproduce, distribute and communicate to the public
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	purpose of quotation
Condition of quotation	so far as such exploitation is justified to that

¹²³² Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

¹²³³ Art. 53(7).

¹²³⁴ Art. 83.

¹²³⁵ Art. 85(4).

¹²³⁶ Art. 87(4).

¹²³⁷ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

¹²³⁸ Art. 53(7).

	<p>extent by the particular purpose</p> <p>shall be permissible in particular where:</p> <ol style="list-style-type: none"> 1. subsequent to publication individual works are included in an independent scientific work for the purpose of explaining the contents, 2. subsequent to publication passages from a work are quoted in an independent work of language, 3. individual passages from a released musical work are quoted in an independent musical work
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permissible")

4. Research/Educational Reproduction

Provision	Art. 53(3) item 1
Scope of research/educational reproduction	make copies, or to have copies made
Type(s) of source work(s)	small parts of a work, of small-scale works or of individual articles released in newspapers or periodicals or made available to the public, (a performance, ¹²³⁹ an audio recording, ¹²⁴⁰ a broadcast ¹²⁴¹)
Entity exercising reproduction	
Purpose of educational reproduction	for the purpose of illustration for teaching in schools, in non-commercial training and further training institutions, as well as vocational training institutions in quantities required for [personal use of] the persons receiving instruction
Condition of reproduction	
Frequency/copies and limits	<p>entity may have copies made if and insofar as reproduction is necessary for this purpose</p> <p>copies made may not be distributed nor communicated to the public¹²⁴²</p>
Preclusions (not part of research/educational reproduction)	<p>a work intended for instructional use at schools (permitted only in cases where the person entitled has given his consent)</p> <p>public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works,</p>

¹²³⁹ Art. 83.

¹²⁴⁰ Art. 85(4).

¹²⁴¹ Art. 87(4).

¹²⁴² Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

	reconstruction of architectural works (permissible only with consent of rightholder) ¹²⁴³
Subject to Attribution	source (unless source is not named or not known), if reproduction of entire literary/musical work: publishing house and author, whether work abridged or other alterations made ¹²⁴⁴
Subject to Remuneration	equitable remuneration payable by reproduction appliance or storage media [manufacturer/retailer/importer] used solely or together with other appliances, media or accessories for making such reproductions, and from operator of photocopies, ¹²⁴⁵ through a collecting society ¹²⁴⁶ to authors ¹²⁴⁷

Provision	Art. 53(3) item 2
Scope of research/educational reproduction	make copies, or to have copies made
Type(s) of source work(s)	small parts of a work, of small-scale works or of individual articles released in newspapers or periodicals or made available to the public, (a performance, ¹²⁴⁸ an audio recording, ¹²⁴⁹ a broadcast ¹²⁵⁰)
Entity exercising reproduction	
Purpose of educational reproduction	for personal use for state examinations and examinations in schools, higher education institutions, non-commercial training and further training institutions, as well as vocational training institutions in the required quantity
Condition of reproduction	
Frequency/copies and limits	entity may have copies made if and insofar as reproduction is necessary for this purpose copies made may not be distributed nor communicated to the public ¹²⁵¹
Preclusions (not part of research/educational reproduction)	copying a work intended for instructional use at schools (permitted only in cases where the person entitled has given his consent) public lectures, productions or performances of a work on video or audio recording media, realization of plans and drafts of artistic works,

¹²⁴³ Art. 53(7).

¹²⁴⁴ Art. 63(1).

¹²⁴⁵ Art. 54c.

¹²⁴⁶ Art. 54h.

¹²⁴⁷ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.

¹²⁴⁸ Art. 83.

¹²⁴⁹ Art. 85(4).

¹²⁵⁰ Art. 87(4).

¹²⁵¹ Art. 53(6) (providing, however, that it is permissible to lend lawfully produced copies of newspapers and out-of-print works, as well as works in which no damaged or missing parts have been replaced by means of copies).

	reconstruction of architectural works (permitted only with consent of rightholder) ¹²⁵²
Subject to Attribution	
Subject to Remuneration	equitable remuneration payable by [manufacturer/retailer/importer] of reproduction appliance or storage media used solely or together with other appliances, media or accessories for making such reproductions, and payable by operator of photocopies, ¹²⁵³ to a collecting society, ¹²⁵⁴ for distribution to authors ¹²⁵⁵

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 46
Scope of anthologies/compilations limitation/exception	reproduce, distribute, making works available to the public after publication by incorporation in a collection, which combines the works of a considerable number of authors
Type(s) of source work(s)	limited parts of works, of small scale literary works and of musical works, individual artistic works or individual photographs
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended, by its nature, exclusively for instructional use in schools, in non-commercial basic and further training facilities or in vocational training facilities or for church use
Condition of anthologies/compilations limitation/exception	purpose for which collection is to be used shall be clearly stated on copies, or when making them available to the public intention to exercise Art. 46 entitlement to be first communicated by registered letter to author or, if whereabouts unknown, holder of exclusive exploitation right and two weeks have elapsed since letter was sent, or notification effected by publication in the Federal Gazette ¹²⁵⁶
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	if source work is intended for instructional use in schools, person entitled has to give consent if source works are musical works, collection must be intended for use in musical instruction in schools which are not schools of music ¹²⁵⁷

¹²⁵² Art. 53(7).

¹²⁵³ Art. 54c.

¹²⁵⁴ Art. 54h.

¹²⁵⁵ Art. 54(1). Art. 54(2) provides that the equitable remuneration claim shall not apply where it can be expected that appliance or storage media will not be used for reproductions in the territory to which the Act applies.

¹²⁵⁶ Art. 46(3).

¹²⁵⁷ Art. 46(2).

	author may forbid exploitation if work no longer reflects his conviction and can therefore no longer be reasonably expected to agree to exploitation of work and has for that reason revoked any existing exploitation right ¹²⁵⁸
Subject to Attribution	source (unless source is not named or not known), if reproduction of entire literary/musical work: publishing house and author, whether work abridged or other alterations made ¹²⁵⁹
Subject to Remuneration	equitable remuneration to be paid to author ¹²⁶⁰

6. School Performances

Provision	Art. 52(1)
Scope of school performance	recite, perform and present (included in the definition of “communicate to the public”) ¹²⁶¹
Type(s) of source work(s)	a published work
Entity exercising school performance	
Purpose of school performance	non-profit-making purpose for the organizer
Condition of school performance	participants are admitted free of charge in the case of a lecture or performance of a work, if none of the performers is paid a special remuneration
Preclusions (not part of school performance)	public stage performances only permissible with consent of rightholder ¹²⁶²
Subject to Attribution	
Subject to Remuneration	equitable remuneration shall be paid for the communication, but not for school events school events insofar as they are only available to a specific, limited group of persons on account of their social or educational purpose, but not where the event serves the profit-making purpose of a third party (third party to pay remuneration)

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 46
Scope of broadcast/communication/recording	making works available to the public after publication by incorporation in a collection, which combines the works of a considerable number of authors
Type(s) of source work(s)	limited parts of works, of small scale literary

¹²⁵⁸ Art. 46(5).¹²⁵⁹ Art. 63(1).¹²⁶⁰ Art. 46(4).¹²⁶¹ Art. 15(2) (defining “communicate to the public” as comprising the right of recitation, performance and presentation (Article 19)).¹²⁶² Art. 52(3).

	works and of musical works, individual artistic works or individual photographs
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended, by its nature, exclusively for instructional use in schools, in non-commercial basic and further training facilities or in vocational training facilities or for church use
Condition of broadcast/communication/recording	purpose for which collection is to be used shall be clearly stated on copies, or when making them available to the public intention to exercise Art. 46 entitlement to be first communicated by registered letter to author or, if whereabouts unknown, holder of exclusive exploitation right and two weeks have elapsed since letter was sent, or notification effected by publication in the Federal Gazette ¹²⁶³
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	if source work is intended for instructional use in schools, person entitled has to give consent if source works are musical works, collection must be intended for use in musical instruction in schools which are not schools of music ¹²⁶⁴ author may forbid exploitation if work no longer reflects his conviction and can therefore no longer be reasonably expected to agree to exploitation of work and has for that reason revoked any existing exploitation right ¹²⁶⁵
Subject to Attribution	source (if required by customary practice), author (unless not possible) ¹²⁶⁶
Subject to Remuneration	equitable remuneration to be paid to author ¹²⁶⁷

Provision	Art. 52(1)
Scope of broadcast/communication/recording	communicate to the public ¹²⁶⁸
Type(s) of source work(s)	a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non-profit-making purpose for the organizer

¹²⁶³ Art. 46(3).¹²⁶⁴ Art. 46(2).¹²⁶⁵ Art. 46(5).¹²⁶⁶ Art. 63(2).¹²⁶⁷ Art. 46(4).¹²⁶⁸ Art. 15(2) (defining "communicate to the public" as comprising the right of making available the work available to the public (Art 19a), the right of broadcasting (Art. 20), the right of communication by video or audio recordings (Art. 21) and the right of communication of broadcasts and of works made available to the public (Art. 22)).

Condition of broadcast/communication/recording	participants are admitted free of charge in the case of a lecture or performance of a work, if none of the performers is paid a special remuneration
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	public stage performances only permissible with consent of rightholder ¹²⁶⁹
Subject to Attribution	
Subject to Remuneration	equitable remuneration shall be paid for the communication, but not for school events school events insofar as they are only available to a specific, limited group of persons on account of their social or educational purpose, but not where the event serves the profit-making purpose of a third party (third party to pay remuneration)

Provision	Art. 47
Scope of broadcast/communication/recording	transferring to video or audio recording media to make individual copies
Type(s) of source work(s)	works
Entity exercising broadcast/communication/recording	schools, teacher training and further training institutions
Purpose of broadcast/communication/recording	used as part of a school broadcast video or audio recording media may only be used for teaching purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	media must be deleted at the latest at the end of academic year following transmission of school broadcast, unless author has been paid equitable remuneration
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("may make"), unless media is not deleted (see above)

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 95b
Scope of TPM/RMI exception	require rightholder who applied technological

¹²⁶⁹ Art. 52(3).

	measures in respect of his work/subject-matter to be obliged to provide for the “beneficiaries” who have legal access to work/subject-matter ¹²⁷⁰
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹²⁷¹)
Beneficiary exercising exception	“beneficiaries”: users who benefit from, <i>inter alia</i> , collections for school or instructional use (Art. 46), school broadcasts (Art. 47), reproduction for private and other personal uses (Art. 53(1), (2) first sentence, items 1, 2, 3 and 4, (3))
Purpose of exception	to provide beneficiary the means of benefiting from the exceptions to the necessary extent
Condition of exception	

¹²⁷⁰ Art. 95b(4) (providing that technological measures applied to meet these obligations enjoy legal protection as effective technological measures).

¹²⁷¹ Art. 95b(3) proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

Ghana

1. Legislation Reviewed

Copyright Act, 2005 (Act 690)

2. Private/Personal Use

Provision	ss 19(1)(a), 35(e)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a literary or artistic work, either in the original language or in translation, and work has been made public, and a performance or broadcast ¹²⁷²
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusive personal use of a person
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reprography of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹²⁷³
Subject to Attribution	
Subject to Remuneration	not required ("not be an infringement of the right of the author")

Provision	s 35(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance or broadcast ¹²⁷⁴
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] provisions ... shall not apply")

3. Quotations

Provision	ss 19(1)(b), 35(e)
Scope of quotation	inclusion of quotations in another work
Type(s) of source work(s)	work, including quotations from articles in newspapers or periodicals in the form of press summaries, and a performance or broadcast ¹²⁷⁵

¹²⁷² S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁷³ S 19(2) (subjecting s 19(1)(a) to preclusions).

¹²⁷⁴ S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

	work has been made public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice ¹²⁷⁶ extent of quotations does not exceed what is justified for the purpose of the work in which the quotations are used ¹²⁷⁷
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("not be an infringement")

Provision	s 35(d)
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, sound recording, audio-visual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice and justified by the informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("neighbouring rights] provisions ... shall not apply")

4. Research/Educational Reproduction

Provision	ss 19(1)(c)(iii), 35(e)
Scope of research/educational reproduction	utilization
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ¹²⁷⁸
Entity exercising reproduction	
Purpose of educational reproduction	professional training or public education
Condition of reproduction	use is compatible with fair practice ¹²⁷⁹
Frequency/copies and limits	to the extent justified for the purposes
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author ¹²⁸⁰
Subject to Remuneration	not required ("not be an infringement", "[neighbouring rights] provisions ... shall not apply")

¹²⁷⁵ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁷⁶ S 19(3). cf. s 19(1)(b) (subjecting it to s 19(2) [sic], when it should be s 19(3)).

¹²⁷⁷ S 19(3). cf. s 19(1)(b) (subjecting it to s 19(2) [sic], when it should be s 19(3)).

¹²⁷⁸ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁷⁹ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁸⁰ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	ss 19(1)(c)(i), 35(e)
Scope of anthologies/compilations limitation/exception	utilization, by way of illustration in publications, broadcasts of sound or visual recordings
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ¹²⁸¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice ¹²⁸²
Frequency/copies and limits	to the extent justified for the purposes
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author ¹²⁸³
Subject to Remuneration	not required ("not be an infringement", "[neighbouring rights] provisions ... shall not apply")

6. School Performances

Provision	s 35(c)
Scope of school performance	[use]
Type(s) of source work(s)	a performance or broadcast ¹²⁸⁴
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] provisions ... shall not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 35(c)
Scope of broadcast/communication/recording	[use]
Type(s) of source work(s)	a performance or broadcast ¹²⁸⁵
Entity exercising broadcast/communication/recording	
Purpose of	teaching or scientific research

¹²⁸¹ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁸² S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁸³ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁸⁴ S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

¹²⁸⁵ S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] provisions ... shall not apply")

Provision	ss 19(1)(c)(ii), 35(e)
Scope of broadcast/communication/recording	"communication" ¹²⁸⁶ by broadcast
Type(s) of source work(s)	work, if made public, and a performance or broadcast ¹²⁸⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	use in educational institutions
Condition of broadcast/communication/recording	use is compatible with fair practice ¹²⁸⁸
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author ¹²⁸⁹
Subject to Remuneration	not required ("not be an infringement", "[neighbouring rights] provisions ... shall not apply")

Provision	ss 19(1)(c)(i), 35(e)
Scope of broadcast/communication/recording	utilization, by way of illustration in publications, broadcasts of sound or visual recordings
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ¹²⁹⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching
Condition of broadcast/communication/recording	use is compatible with fair practice ¹²⁹¹

¹²⁸⁶ S 76 (defining "communication to the public" as a transmission, other than broadcasting, by wire or without wire, in such a way that the images or sounds can be perceived by persons outside the normal circle of a family and its closest social acquaintances at a place or places so distant from the place where the transmission originates that without the transmission, the images or sounds would not be perceivable irrespective of whether the person can receive images or sounds at the same place and time, or at different places or times individually chosen by them).

¹²⁸⁷ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁸⁸ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁸⁹ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁹⁰ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁹¹ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

Frequency/limits of broadcast/communication/recording	to the extent justified for the purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author ¹²⁹²
Subject to Remuneration	not required ("not be an infringement", "[neighbouring rights] provisions ... shall not apply")

Provision	ss 19(1)(c)(iii), 35(e)
Scope of broadcast/communication/recording	utilization
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ¹²⁹³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	professional training or public education
Condition of broadcast/communication/recording	use is compatible with fair practice ¹²⁹⁴
Frequency/limits of broadcast/communication/recording	to the extent justified for the purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author ¹²⁹⁵
Subject to Remuneration	not required ("not be an infringement", "[neighbouring rights] provisions ... shall not apply")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹²⁹² S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁹³ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

¹²⁹⁴ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

¹²⁹⁵ S 19(4). cf. 19(1)(c) (subjecting it to s 19(3) [sic], when it should be s 19(4)).

Greece

1. Legislation Reviewed

Law No. 2121/1993 on Copyright, Related Rights and Cultural Matters (as amended up to Law No. 4281/2014)

2. Private/Personal Use

Provision	Art. 18
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, broadcast, printed matter) ¹²⁹⁶
Entity exercising private/personal use	a person
Purpose of private/personal use	own private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“private use” shall not include use by an enterprise, a service or an organization ¹²⁹⁷ where “is likely to conflict with normal exploitation of the work or to prejudice the author’s legitimate interests” ¹²⁹⁸ , including: works of architecture, using technical means to reproduce a fine art work which has limited circulation, reproduction of musical notation
Subject to Attribution	
Subject to Remuneration	equitable remuneration as levy on recording equipment for sound/image, computer peripherals (not printers) used solely for digital reproduction or transcription to/from analogue media, magnetic/optical tapes/media/devices for reproduction of sound/image, photocopy machines, photocopy paper, payable by importers/producers, collected by CMOs, due to creator and beneficiaries of related rights ¹²⁹⁹

3. Quotations

Provision	Art. 19
Scope of quotation	quotation
Type(s) of source work(s)	short extracts from a lawfully published work, (performance, phonogram, broadcast, printed matter) ¹³⁰⁰
Entity exercising quotation	

¹²⁹⁶ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

¹²⁹⁷ Art. 18(1).

¹²⁹⁸ Art. 18(2).

¹²⁹⁹ Art. 18(3). More details about the remuneration are spelt out in Art. 18(4)-(12).

¹³⁰⁰ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

Purpose of quotation	providing support for a case advanced by the person making the quotation or a critique of the position of the author
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author, publisher (if names indicated on source)
Subject to Remuneration	not required ("without payment")

4. Research/Educational Reproduction

Provision	Art. 21
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	articles lawfully published in a newspaper or periodical, short extracts of a work or parts of a short work or a lawfully published work of fine art work, (performance, phonogram, broadcast, printed matter) ¹³⁰¹
Entity exercising reproduction	
Purpose of educational reproduction	exclusively for teaching or examination purposes at an educational establishment
Condition of reproduction	in such measure as is compatible with the aforementioned purpose
Frequency/copies and limits	reproduction is effected in accordance with fair practice
Preclusions (not part of research/educational reproduction)	reproduction does not conflict with the normal exploitation
Subject to Attribution	source, author, publisher (if names indicated on source)
Subject to Remuneration	not required ("without payment")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 20(1)
Scope of anthologies/compilations limitation/exception	reproduction in educational textbooks
Type(s) of source work(s)	lawfully published literary works, (performances, phonograms, broadcasts, printed matter) ¹³⁰² of one or more writers
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	textbooks approved for use in primary and secondary education by the Ministry of National Education and Religions or another competent

¹³⁰¹ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

¹³⁰² Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

	ministry, according to the official detailed syllabus
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	reproduction shall encompass only a small part of the total output of each of the writers
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction shall not conflict with the normal exploitation of the work from which the texts are taken ¹³⁰³
Subject to Attribution	source, author, publisher (if names indicated on source) ¹³⁰⁴
Subject to Remuneration	not required ("without payment")

Provision	Art. 20(2)
Scope of anthologies/compilations limitation/exception	reproduction in lawfully published anthology of literary works of more than one writer
Type(s) of source work(s)	lawfully published literary works, (performances, phonograms, broadcasts, printed matter) ¹³⁰⁵ of one or more writers/authors
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	after death of writer/author
Frequency/copies and limits	reproduction shall encompass only a small part of the total output of each of the writers
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction shall not conflict with the normal exploitation of the work from which the texts are taken ¹³⁰⁶
Subject to Attribution	source, author, publisher (if names indicated on source) ¹³⁰⁷
Subject to Remuneration	not required ("without payment")

6. School Performances

Provision	Art. 27(b)
Scope of school performance	public performance or presentation
Type(s) of source work(s)	a work, (performance, phonogram, broadcast, printed matter) ¹³⁰⁸
Entity exercising school performance	at an educational establishment
Purpose of school performance	within the framework of staff and pupil or student activities
Condition of school performance	audience is composed exclusively of the aforementioned persons, the parents of the pupils

¹³⁰³ Art. 18(3).

¹³⁰⁴ Art. 20(3).

¹³⁰⁵ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

¹³⁰⁶ Art. 18(3).

¹³⁰⁷ Art. 20(3).

¹³⁰⁸ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

	or students, persons responsible for the care of the pupils or students, or persons directly involved in the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment")

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 66A(5)
Scope of TPM/RMI exception	exception to require rightholder who used effective technological measures in respect of his work to take voluntary measures to ensure for the "beneficiaries" the benefit of the exception
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹³⁰⁹)
Beneficiary exercising exception	users who reproduce work/subject-matter for, <i>inter alia</i> , private use (Art. 18), for teaching purposes (Art. 21)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	

¹³⁰⁹ Art. 66A(5) proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

Grenada

1. Legislation Reviewed

Copyright Act (Cap 67, Act No. 21 of 2011)

2. Private/Personal Use

Provision	s 9
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹³¹⁰ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright"
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the owner")

Provision	s 27(1)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, sound recording or broadcast
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction of any performance, sound recording or broadcast, in cases where reproduction would conflict with a normal exploitation of the performance, sound recording, or broadcast, or would otherwise unreasonably prejudice the legitimate interests of the owner of neighbouring rights
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

¹³¹⁰ S 17 (excepting use of the computer program and for backup/archival purposes).

3. Quotations

Provision	s 10
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹³¹¹
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("permitted without authorisation")

4. Research/Educational Reproduction

Provision	s 11(1)(a)
Scope of research/educational reproduction	utilisation by way of illustration
Type(s) of source work(s)	a work that has lawfully been made available to the public, in publications, broadcasting or sound or visual recordings
Entity exercising reproduction	
Purpose of educational reproduction	teaching, or scientific research purposes
Condition of reproduction	utilisation is compatible with fair practice
Frequency/copies and limits	does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source) on all copies or in reasonable connection with work
Subject to Remuneration	not required ("permitted without authorisation of the author, or other owner")

Provision	s 11(1)(b)
Scope of research/educational reproduction	reprographic copies ¹³¹²
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain

¹³¹¹ S 27(1)(d) (applying limitations and exceptions in Part II to neighbouring rights).

¹³¹² S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

	no copying if licences are available authorizing copying and educational institution knows or ought to have been aware of licences
Frequency/copies and limits	extent justified by the purpose reproduction of any particular work is an isolated act occurring, if repeated, on separate and unrelated occasions no more than a single copy for each pupil or student and the teacher is made
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source) on all copies or in reasonable connection with work
Subject to Remuneration	not required ("permitted without authorisation of the author, or other owner")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 27(1)(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising school performance	
Purpose of school performance	solely for the purpose of face-to-face teaching activities or for scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)(a)
Scope of broadcast/communication/recording	utilisation by way of illustration, by making available of such works in computer networks
Type(s) of source work(s)	a work that has lawfully been made available to the public, in publications, broadcasting or sound or visual recordings
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching, or scientific research purposes
Condition of broadcast/communication/recording	utilisation is compatible with fair practice
Frequency/limits of broadcast/communication/recording	access to the works is only available to enrolled pupils or students and their teachers

	does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source) on all copies or in reasonable connection with work
Subject to Remuneration	not required ("permitted without authorisation of the author, or other owner")

Provision	s 27(1)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purpose of face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 46(2)
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of his work to take necessary means to ensure that "beneficiary" may enjoy or apply the exception or limitation
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹³¹³)
Beneficiary exercising exception	"beneficiary": users who reproduce work/subject-matter for, <i>inter alia</i> , private use (s 9), quotations (s 10), educational reproduction (s 11)
Purpose of exception	to the extent required
Condition of exception	

¹³¹³ S 46(3).

Guatemala

1. Legislation Reviewed

Law on Copyright and Related Rights (Decree No. 33-98)

2. Private/Personal Use

Provision	Art. 63(a)
Scope of private/personal use	communication
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	conducted in an exclusively domestic environment
Condition of private/personal use	no interest, economic, direct or indirect communication be not deliberately disseminated to exterior, in whole or in part, by any means
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... any remuneration")

Provision	Art. 64(d)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work of art exhibited permanently in public or on the exterior facade of buildings
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	"executed by an art [sic] that is places [sic] different from that used for the preparation of the original"
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author (if reproduction dealt with), place where work of art is
Subject to Remuneration	not required ("without authorization [of] author")

3. Quotations

Provision	Art. 66(d)
Scope of quotation	include in one's own work
Type(s) of source work(s)	fragments of other nature written, audio or audiovisual and works of plastic character, photographic or similar; works which have already been disclosed

Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 64(a)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles or brief excerpts from works lawfully published
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	teaching or conducting examinations
Condition of reproduction	no profit
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	such use does not interfere with the normal exploitation of the work or prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("without authorization")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 66(d)
Scope of anthologies/compilations limitation/exception	include in one's own work
Type(s) of source work(s)	fragments of other nature written, audio or audiovisual and works of plastic character, photographic or similar; works which have already been disclosed
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for analysis purposes teaching or research
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances

Provision	Art. 63(b)
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Scope of school performance	communication ¹³¹⁴
Type(s) of source work(s)	a work
Entity exercising school performance	an institution of teaching staff and students of that institution
Purpose of school performance	exclusively educational purposes in the course of the activities of an institution of teaching
Condition of school performance	communication not be for profit, direct or indirect audience consists solely of the staff and students of the school or parents or teachers of students and others directly linked to the activities of the institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... any remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 63(b)
Scope of broadcast/communication/recording	communication ¹³¹⁵
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	an institution of teaching staff and students of that institution
Purpose of broadcast/communication/recording	exclusively educational purposes in the course of the activities of an institution of teaching
Condition of broadcast/communication/recording	communication not be for profit, direct or indirect
Frequency/limits of broadcast/communication/recording	audience consists solely of the staff and students of the school or parents or teachers of students and others directly linked to the activities of the institution
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... any remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 133 quinquies
Scope of TPM/RMI exception	no civil liability for damages for (a) circumvention of effective technological measures, (b) manufacture, importation, distribution or commercial dealing in devices or provision of

¹³¹⁴ Art. 21(d)(1) (defining "communication to the public" as including a performance).

¹³¹⁵ Art. 21(d)(1) (defining "communication to the public" as including a performance).

	services to circumvent effective technological measures, implemented by author, rightholder, performer, producer, to restrict or control access rights to
Type(s) of source work(s)	works, performances, phonograms or other protected materials
Beneficiary exercising exception	<i>inter alia</i> , educational institution
Purpose of exception	
Condition of exception	no intention of engaging in a prohibited activity

Provision	Art. 133 sexties.(a)
Scope of TPM/RMI exception	non-infringing reverse engineering activities, involving the circumvention of effective technological measures, carried out
Type(s) of source work(s)	a legally obtained copy of a computer program
Beneficiary exercising exception	person involved in reverse engineering
Purpose of exception	sole purpose of achieving interoperability of a computer program created independently, with other programs
Condition of exception	carried out in good faith on particular elements of computer program that the beneficiary did not have at his disposal

Provision	Art. 133 sexties.(b)
Scope of TPM/RMI exception	conducting research activities on
Type(s) of source work(s)	a legally obtained copy of an interpretation of an unfixed performance or a display of a work, performance or phonogram
Beneficiary exercising exception	a duly qualified researcher
Purpose of exception	to the extent necessary to identify and analyze flaws and vulnerabilities of technologies for encoding and decoding information
Condition of exception	carried out in good faith researcher has made a good faith effort to obtain authorization for such activities

Provision	Art. 133 septies
Scope of TPM/RMI exception	no civil liability in damages for (a) removal or alteration of RMI, (b) distribution or importation for distribution, RMI, knowing that it has been removed or altered without authorization, (c) knowing that RMI has been removed or altered without authorization, the distribution, etc. copies of
Type(s) of source work(s)	works, performances or phonograms,
Beneficiary exercising exception	<i>inter alia</i> , educational institution
Purpose of exception	

Condition of exception	no intention of engaging in a prohibited activity
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Guinea

1. Legislation Reviewed

Act No. 043/APN/CP of August 9, 1980, adopting Provisions Relating to Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 10(ii)
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	a work that has been lawfully made available to the public, (a performance, phonogram or broadcast) ¹³¹⁶
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit"/[acts referred to in neighbouring rights] shall not be subject to ... payment")

Provision	Art. 10(i)(a)
Scope of private/personal use	communications such as performance or broadcasting, in private
Type(s) of source work(s)	a work that has been lawfully made available to the public, (a performance, phonogram or broadcast) ¹³¹⁷
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within a family circle
Condition of private/personal use	do not give rise to receipts of any kind
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit"/[acts referred to in neighbouring rights] shall not be subject to ... payment")

3. Quotations

Provision	Art. 11
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¹³¹⁶ Art. 74(i).

¹³¹⁷ Art. 74(i).

Scope of quotation	make analyses of and short quotations
Type(s) of source work(s)	a work (in original form or in translation) that has already been lawfully made available to the public, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	compatible with fair practice justified by the scientific, critical, polemic, educational or informative purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be lawful")

Provision	Art. 74(iv)
Scope of quotation	quotations in the form of short excerpts
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice justified by the informative purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("[acts referred to in neighbouring rights] shall not be subject to ... payment")

4. Research/Educational Reproduction

Provision	Art. 74(iii)
Scope of research/educational reproduction	use [includes reproduction]
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purposes of teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	reproduction of duplicates of phonograms for exclusive purpose of education or scientific research, made and distributed in Guinea: equitable remuneration fixed by tariff laid down by Guinean Copyright Office based on number of duplicates made and distributed, for phonogram producer ¹³¹⁸

¹³¹⁸ Art. 75.

	others: not required ("[acts referred to in neighbouring rights] shall not be subject to ... payment")
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5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 10(i)(b)
Scope of school performance	communications such as performance
Type(s) of source work(s)	a work, (a performance, phonogram or broadcast) ¹³¹⁹
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	strictly educational or scholastic purposes
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit"/"[acts referred to in neighbouring rights] shall not be subject to ... payment")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 10(i)(b)
Scope of broadcast/communication/recording	communications such as broadcasting
Type(s) of source work(s)	a work, (a performance, phonogram or broadcast) ¹³²⁰
Entity exercising broadcast/communication/recording	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of broadcast/communication/recording	strictly educational or scholastic purposes
Condition of broadcast/communication/recording	free of charge
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit"/"[acts

¹³¹⁹ Art. 74(i).¹³²⁰ Art. 74(i).

	referred to in neighbouring rights] shall not be subject to ... payment")
Provision	Art. 74(iii)
Scope of broadcast/communication/recording	use [includes broadcasting, communication, recording]
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[acts referred to in neighbouring rights] shall not be subject to ... payment")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 15(i)
Nature of compulsory licence for translation for educational purposes	licence, for translation and publication in printed or analogous forms of reproduction on the territory of the Revolutionary People's Republic of Guinea
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed as of Oct 10, 1984
Type(s) of source work(s)	foreign works already lawfully made available to the public
Licence applicant/entity	any natural person or legal entity residing on the territory of the Revolutionary People's Republic of Guinea
Purpose of licence	
Condition of licence	subject to, and under the conditions specified in, the Appendix to the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works no derogation from the rights conferred on the author by Art. 3 above
Compulsory licence fee(s)	licensee to pay equitable remuneration to author ¹³²¹
Price of publication	
Distribution conditions	

¹³²¹ Art. 16 (failing amicable agreement, the amount shall be determined by the Minister for Higher Education and Scientific Research).

Grantor of compulsory licence	Minister for Higher Education and Scientific Research
Provision	Art. 15(ii)
Nature of compulsory licence for reproduction for educational purposes	licence, for reproduction and publication in printed or analogous forms of reproduction on the territory of the Revolutionary People's Republic of Guinea
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed as of Oct 10, 1984
Type(s) of source work(s)	foreign works already lawfully made available to the public
Licence applicant/entity	any natural person or legal entity residing on the territory of the Revolutionary People's Republic of Guinea
Purpose of licence	
Condition of licence	licenses may not be granted for the publication of literary or scientific works of which a French edition is available abroad unless such publication on the national territory affords good conditions for the desired dissemination subject to, and under the conditions specified in, the Appendix to the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works no derogation from the rights conferred on the author by Art. 3 above
Compulsory licence fee(s)	licensee to pay equitable remuneration to author ¹³²²
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister for Higher Education and Scientific Research

9. TPM/RMI Exceptions for Educational Purposes

¹³²² Art. 16 (failing amicable agreement, the amount shall be determined by the Minister for Higher Education and Scientific Research).

Guinea-Bissau

1. Legislation Reviewed

Copyright Code (approved by Decree-Law No. 46.980 of March 28, 1972)

2. Private/Personal Use

Provision	Art. 103(2)
Scope of private/personal use	performance
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	not-for-profit basis and in a family home
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without his special authorization")

3. Quotations

Provision	Art. 185(1)
Scope of quotation	transcribe or summarize
Type(s) of source work(s)	extracts of others' works
Entity exercising quotation	authors of any text
Purpose of quotation	in support of their own doctrines or for the purposes of criticism, discussion or teaching
Condition of quotation	extracts are distinguished from their own text and the works from which the transcribed or summarized texts are taken transcribed or summarized texts may not be so extensive that they prejudice interest in the work cited
Preclusions (not part of quotation)	reproduce the work of another under the "pretext of commentary or annotation", but lawful to refer to chapters, paragraphs or pages of another author's work in one's own separate comments or annotations ¹³²³
Subject to Attribution	author
Subject to Remuneration	not required ("shall have the right")

4. Research/Educational Reproduction

Provision	Art. 63
Scope of research/educational reproduction	reproduction

¹³²³ Art. 186.

Type(s) of source work(s)	extracts of works which have not yet fallen into the public domain
Entity exercising reproduction	public entities, libraries, archives and scientific institutions
Purpose of educational reproduction	(entity's own use)
Condition of reproduction	reproductions may not be used commercially without the consent of the authors
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

Provision	Art. 151
Scope of research/educational reproduction	reproduction in scientific or educational works
Type(s) of source work(s)	photographs
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	photographer and year of production (if in original)
Subject to Remuneration	fair compensation payment to author(s)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 185(2)
Scope of anthologies/compilations limitation/exception	transcription, in anthologies
Type(s) of source work(s)	extracts or fragments of literary or musical works of others
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in schools
Condition of anthologies/compilations limitation/exception	extracts are distinguished from their own text and the works from which the transcribed or summarized texts are taken
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	transcribed or summarized texts may not be so extensive that they prejudice interest in the work cited ¹³²⁴
Subject to Attribution	author ¹³²⁵

¹³²⁴ Art. 185(2) refers to the "terms of and within the limits referred to in the preceding paragraph", which is a reference to the terms and limits set out in Art. 185(1).

¹³²⁵ *Id.*

Subject to Remuneration	transcription that exceeds limits: right to fair recompense for author otherwise: not required ("shall be permitted")
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6. School Performances7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 164
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable compulsory licence, for translation and publication
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a written work published in a foreign language, or a translation already published in Portuguese
Licence applicant/entity	any person
Purpose of licence	
Condition of licence	work has not been previously published by holder of translation rights or authorised person in Portuguese after 7 years from first publication, or if copies of the translated work have been exhausted title and name of author of original work to be printed on all copies of published translation ¹³²⁶ licence applicant has requested and been denied authorization from holder of translation right, or applicant was unable to find such owner, despite due diligence, after notifying the publisher/diplomatic or consular representative of state of holder of translation rights/organization designated by government of that state, and 3 months have lapsed since request ¹³²⁷ no licence granted if author has withdrawn copies of work from circulation ¹³²⁸
Compulsory licence fee(s)	beneficiary of licence to pay a fair compensation to the right owner ¹³²⁹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	courts

9. TPM/RMI Exceptions for Educational Purposes¹³²⁶ Art. 164(5).¹³²⁷ Art. 164(2), (4).¹³²⁸ Art. 164(8).¹³²⁹ Art. 165.

Guyana

1. Legislation Reviewed

Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹³³⁰ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall constitute an infringement of the copyright")

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹³³¹ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ¹³³²
Subject to Remuneration	not required ("shall constitute an infringement of the copyright")

4. Research/Educational Reproduction

Provision	s 41(1)(a)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a "duplicating process" ¹³³³) or making of an adaptation

¹³³⁰ S 6(8).

¹³³¹ S 6(8).

¹³³² Ss 6(10), 48(1) (defining "sufficient acknowledgment").

Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ¹³³⁴ or elsewhere
Condition of reproduction	
Frequency/copies and limits	reproduction or adaptation shall not be published ¹³³⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright shall not be taken to be infringed")

Provision	s 41(1)(b)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Condition of reproduction	
Frequency/copies and limits	reproduction or adaptation shall not be published ¹³³⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright shall not be taken to be infringed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion in a collection
Type(s) of source work(s)	a short passage of a published literary or dramatic work, (or its adaptation) ¹³³⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement

¹³³³ S 41(7) (defining "duplicating process" as any process involving the use of an appliance for producing multiple copies).

¹³³⁴ S 41(7) (defining "school" as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

¹³³⁵ S 41(2).

¹³³⁶ S 41(2).

¹³³⁷ S 6(8).

	[source] work was not published for use of schools collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	not applicable if, in addition to passage in question, 2 or more excerpts from works by same author ¹³³⁸ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ¹³³⁹
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ¹³⁴⁰
Subject to Remuneration	not required ("copyright ... is not infringed")

6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of the copyright")

Provision	s 41(3), (5)
Scope of school performance	performance [of a work] causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a

¹³³⁸ S 6(6) proviso (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹³³⁹ S 6(6).

¹³⁴⁰ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

	television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ¹³⁴¹
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or pupils in attendance at, the school, or are otherwise "directly connected" ¹³⁴² with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("performance shall not be taken for the purposes of this Act to be a performance in public")

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹³⁴¹ S 41(7) (defining "school" as an entity with the same meaning as that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

¹³⁴² S 41(4) (defining "directly connected" as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

Haiti

1. Legislation Reviewed

Decree of January 9, 1968 relating to Copyright in Literary, Scientific and Artistic Works

Decree of October 12, 2005 on the Creation of the Office of Haitian Copyright (BHDA)

2. Private/Personal Use

3. Quotations

Provision	Art. 32
Scope of quotation	borrowings
Type(s) of source work(s)	works of other persons
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	borrowings [should not be] considerable and damaging
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	courts enjoy considerable freedom in making appraisalment

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Holy See

1. Legislation Reviewed

Law No. 132 of March 19, 2011 on Copyright and Related Rights, s 2 (transposing Italian legislation on copyright and related rights into the law of Vatican City State)

(all subsequent references to Law No. 633 of April 22, 1941, for the Protection of Copyright and Neighboring Rights (as amended up to Decree-law No. 64 of April 30, 2010) of Italy)

2. Private/Personal Use

Provision	Art. 68.1
Scope of private/personal use	reproduction by hand or by means of reproduction
Type(s) of source work(s)	works or of portions of works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁴³
Entity exercising private/personal use	
Purpose of private/personal use	personal use of the reader
Condition of private/personal use	unsuitable for marketing or disseminating the work in public any use in competition with the exploitation rights of the author is prohibited ¹³⁴⁴
Frequency/copies and limits	in a single copy copies made may not be sold
Preclusions (not part of private/personal use)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁴⁵
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

Provision	Art. 68.3
Scope of private/personal use	reproduction (by photocopy, xerocopia or similar arrangements)
Type(s) of source work(s)	original works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁴⁶
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	within the limits of the fifteen percent of each book or journal issue, excluding advertising

¹³⁴³ Art. 71-decies.1.

¹³⁴⁴ Art. 68.6.

¹³⁴⁵ Art. 71-nonies.1.

¹³⁴⁶ Art. 71-decies.1.

	pages copies made may not be sold; any use in competition with the exploitation rights of the author is prohibited ¹³⁴⁷
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁴⁸
Subject to Attribution	
Subject to Remuneration	fee payable by managers of reproduction centres that make available photocopy or similar reproduction systems (the measure of compensation and mechanism of collection and distribution to be according to Art. 181ter), to publishers of published print works ¹³⁴⁹

Provision	Art. 71-sexies
Scope of private/personal use	reproduction
Type(s) of source work(s)	soundrecording and videograms on any medium, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁵⁰
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	non-profit and not-for direct or indirect commercial scope protection of technological measures respected reproduction cannot be carried out by third parties ¹³⁵¹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	playback of soundrecordings and videograms by an individual for personal use constitutes reproduction activity ¹³⁵² works or protected materials made available to the public so that everyone can access them from a place and at a time individually chosen, when the work is protected by technological measures or when access is allowed on the basis of contractual agreements ¹³⁵³

¹³⁴⁷ Art. 68.6.

¹³⁴⁸ Art. 71-nonies.1.

¹³⁴⁹ Art. 68.4.

¹³⁵⁰ Art. 71-decies.1.

¹³⁵¹ Art. 71sexies.2.

¹³⁵² Art. 71sexies.2.

¹³⁵³ Art. 71sexies.3.

	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁵⁴
Subject to Attribution	sufficient acknowledgment: title (or other description), author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	not required ("It is allowed")

3. Quotations

Provision	Art. 70
Scope of quotation	abridgment, quotation or reproduction, and communication to the public
Type(s) of source work(s)	fragments or parts of a work, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁵⁵
Entity exercising quotation	
Purpose of quotation	criticism or discussion
Condition of quotation	abridgment, quotation or reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁵⁶
Preclusions (not part of quotation)	within the limits justified for such purposes provided that there is no competition with the economic exploitation of the work
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹³⁵⁷
Subject to Remuneration	not required ("are free")

4. Research/Educational Reproduction

Provision	Art. 70
Scope of research/educational reproduction	abridgment, quotation or reproduction, and communication to the public
Type(s) of source work(s)	fragments or parts of a work, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁵⁸
Entity exercising reproduction	
Purpose of educational reproduction	teaching or scientific research

¹³⁵⁴ Art. 71-nonies.1.

¹³⁵⁵ Art. 71-decies.1.

¹³⁵⁶ Art. 71-nonies.1.

¹³⁵⁷ Art. 70.3.

¹³⁵⁸ Art. 71-decies.1.

Condition of reproduction	use must also be for illustrative purposes and for non-commercial purposes
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	abridgment, quotation or reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁵⁹
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹³⁶⁰
Subject to Remuneration	not required ("shall be permitted")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 70.2
Scope of anthologies/compilations limitation/exception	anthologies
Type(s) of source work(s)	works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁶¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	school use
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	reproduction shall not exceed the extent specified in the regulations
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁶²
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹³⁶³
Subject to Remuneration	equitable remuneration for such reproduction set out in regulations

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 70.1bis
Scope of	publication through the Internet

¹³⁵⁹ Art. 71-nonies.1.

¹³⁶⁰ Art, 70.3.

¹³⁶¹ Art. 71-decies.1.

¹³⁶² Art. 71-nonies.1.

¹³⁶³ Art, 70.3.

broadcast/communication/recording	
Type(s) of source work(s)	images and music at low resolution or degraded, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁶⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific purposes
Condition of broadcast/communication/recording	not for profit
Frequency/limits of broadcast/communication/recording	limits to the use for educational or scientific purposes to be defined by Decree of the Minister for Culture and Heritage
Preclusions (not part of broadcast/communication/recording)	publication of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹³⁶⁵
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹³⁶⁶
Subject to Remuneration	not required ("It is allowed")

Provision	Art. 71ter
Scope of broadcast/communication/recording	communicate or make available to identified individuals, on terminals having such a unique function within the premises of publicly accessible libraries, educational establishments, museums and the archives
Type(s) of source work(s)	works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹³⁶⁷
Entity exercising broadcast/communication/recording	accessible libraries, educational establishments, museums and the archives
Purpose of broadcast/communication/recording	purpose of research or private study
Condition of broadcast/communication/recording	limited to works or other materials contained in their collections not subject to constraints arising from acts of sale or license
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	communication/making available of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter,

¹³⁶⁴ Art. 71-decies.1.

¹³⁶⁵ Art. 71-nonies.1.

¹³⁶⁶ Art. 70.3 (assuming that publication through the Internet involves an abridgment, quotation or reproduction).

¹³⁶⁷ Art. 71-decies.1.

	nor unreasonably prejudice the interests of owners ¹³⁶⁸
Subject to Attribution	
Subject to Remuneration	not required ("It is allowed")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 71quinquies.2
Scope of TPM/RMI exception	rightholder who used technological measures in respect of his work to adopt appropriate solutions, including the conclusion of appropriate agreements with associations representing "beneficiaries" the benefit of certain exceptions
Type(s) of source work(s)	protected works or materials to which beneficiaries have legitimate access for their use, excluding works/materials made available to the public so that everyone can have access to it from the place or at the time chosen individually, when that access takes place on the basis of contractual agreements ¹³⁶⁹
Beneficiary exercising exception	"beneficiaries": users who reproduce work/materials for, <i>inter alia</i> , personal use (Art. 68), for criticism or discussion, teaching or scientific research (Art. 70.1)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	at express request of beneficiaries subject to payment of fair compensation whenever required

Provision	Art. 71sexies.4
Scope of TPM/RMI exception	rightholder who used technological measures in respect of his work/material to ensure that natural person as beneficiary can make a private copy for personal use
Type(s) of source work(s)	copy of protected works or materials to which beneficiary has acquired lawful possession or has legitimate access
Beneficiary exercising exception	"beneficiaries": natural person
Purpose of exception	making a private copy, even analog, for personal use
Condition of exception	provided that this does not conflict with a normal exploitation of the work or other subject matter and do not unreasonably prejudice the

¹³⁶⁸ Art. 71-nonies.1.¹³⁶⁹ Art. 71quinquies.3.

	rightsholders
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Note: Art. 69 (concerns lending by libraries).

Honduras

1. Legislation Reviewed

Copyright and Neighboring Rights Law (approved by Decree No. 4-99-E, as amended by Decree No. 16-2006)

2. Private/Personal Use

Provision	Art. 47
Scope of private/personal use	reproduction
Type(s) of source work(s)	copies of works lawfully acquired
Entity exercising private/personal use	a person
Purpose of private/personal use	personal and exclusive use by this person
Condition of private/personal use	reproduction by his own means
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	reproduction is a special case, does not interfere with the normal exploitation of the work or unreasonably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("without payment ")

Provision	Art. 48
Scope of private/personal use	photomechanical reproduction such as photocopying and microfilm copies
Type(s) of source work(s)	small parts of a copyrighted work or out-of-print works
Entity exercising private/personal use	
Purpose of private/personal use	for exclusive personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("reproductions ... are allowed")

Provision	Art. 51
Scope of private/personal use	reproduction in a single manuscript or mechanical reproduction
Type(s) of source work(s)	an educational or scientific work
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively made by the person for his own use
Condition of private/personal use	not for profit, directly or indirectly
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("free playback")

Provision	Art. 56
Scope of private/personal use	stage and musical performance
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	exclusive benefit of the family circle of the family's guests at parties or gatherings
Condition of private/personal use	carried out in the home
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

Provision	Art. 121.1
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	special cases which do not conflict with a normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("limitations to the [neighbouring] rights")

Provision	Art. 52
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work of art on permanent display in the streets, squares and other public places
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	as an art different from that used for the preparation of the original
Frequency/copies and limits	
Preclusions (not part of private/personal use)	buildings (limited to exterior façade)
Subject to Attribution	
Subject to Remuneration	not required ("is lawful")

Provision	Art. 123
Scope of private/personal use	reproduction in a copy made directly
Type(s) of source work(s)	published phonograms or audiovisual work or from broadcasting or other forms of

	communication
Entity exercising private/personal use	the user
Purpose of private/personal use	private use
Condition of private/personal use	copy made by the user
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be lawful")

3. Quotations4. Research/Educational Reproduction

Provision	Art. 50
Scope of research/educational reproduction	reproduction by reprographic means
Type(s) of source work(s)	articles, conferences, lectures, short passages or small or short works, which have been lawfully published
Entity exercising reproduction	educational organizations
Purpose of educational reproduction	teaching or for the holding of examinations
Condition of reproduction	no profit purposes use is in accordance with fair practice
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("is allowed")

Provision	Art. 121.3
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("limitations to the [neighbouring] rights")

Provision	Art. 123
Scope of research/educational reproduction	reproduction in a copy made directly
Type(s) of source work(s)	published phonograms or audiovisual work or from broadcasting or other forms of communication
Entity exercising reproduction	

Purpose of educational reproduction	for educational, non-profit purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be lawful")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 56
Scope of school performance	stage and musical performance
Type(s) of source work(s)	
Entity exercising school performance	teaching establishments
Purpose of school performance	for educational purposes, civic celebrations or social, cultural and sporting activities
Condition of school performance	no profit-making purpose is pursued no financial compensation of any kind is paid
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

Provision	Art. 121.3
Scope of school performance	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("limitations to the [neighbouring] rights")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 121.3
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	

Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("limitations to the [neighbouring] rights")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 122
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation of foreign works
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Purpose of licence	in accordance with Arts. 2, 3 of the Annex to the Berne Convention
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Administrative Office

Provision	Art. 122
Nature of compulsory licence for reproduction for educational purposes	non-exclusive compulsory licence, for reproduction of foreign works
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Purpose of licence	in accordance with Arts. 2, 3 of the Annex to the Berne Convention
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Administrative Office

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 33, Decree 16/06
Scope of TPM/RMI exception	exemption from damages for breach of prohibitions against circumvention of effective technological measures
Type(s) of source work(s)	work/subject-matter
Beneficiary exercising exception	<i>inter alia</i> , educational institutions
Purpose of exception	
Condition of exception	if they can prove that they did not know and had no reasons to know that activity was forbidden

Provision	Art. 34(a), Decree 16/06
Scope of TPM/RMI exception	non-infringing reverse engineering activities, involving the circumvention of effective technological measures, carried out
Type(s) of source work(s)	a lawfully obtained copy of a computer program
Beneficiary exercising exception	person involved in reverse engineering
Purpose of exception	sole purpose of achieving interoperability of an independently created computer program with other programs
Condition of exception	carried out in good faith on particular elements of computer program that was not readily available to beneficiary

Provision	Art. 34(a), Decree 16/06
Scope of TPM/RMI exception	conducting research activities on
Type(s) of source work(s)	a lawfully obtained copy, performance or demo of a work, unfixed performance or phonogram
Beneficiary exercising exception	an appropriately qualified researcher
Purpose of exception	to the extent necessary for the sole purpose of identifying and analyzing flaws and vulnerabilities of technologies for encoding and decoding information
Condition of exception	carried out in good faith researcher has made a good faith effort to obtain authorization for such activities

Provision	Art. 35, Decree 16/06
Scope of TPM/RMI exception	access to
Type(s) of source work(s)	a work, performance, or phonogram, not otherwise available to it because of technological measures
Beneficiary exercising exception	a library, archive, or educational institution
Purpose of exception	for the sole purpose of making acquisition decisions
Condition of exception	

Notes: Art. 49 (reproduction of works made by public libraries if it is not possible to buy a copy on reasonable terms)

Hungary

1. Legislation Reviewed

Act No. LXXVI of 1999 on Copyright (consolidated text as of January 1, 2007)

Government Decree No. 117 of 2004 (IV. 28.) Korm. on the Determination of the Manner & Conditions of the Communication & Making Available to the Public in the Case of Free Use Provided for in Article 38(5) of Act LXXVI of 1999 on Copyright

2. Private/Personal Use

Provision	Art. 35(1)
Scope of private/personal use	copy
Type(s) of source work(s)	work, (performance, sound recording, radio or television programme, film) ¹³⁷⁰ disclosed to the public ¹³⁷¹
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for private purposes
Condition of private/personal use	not intended for earning or increasing income even in an indirect way
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, engineering structures, reprographic reproduction of musical notation, a database, a computer program, a fixation of public performance of a work on video or sound carrier to have work copied by someone else by means of a computer and/or on an electronic data carrier ¹³⁷² use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ¹³⁷³
Subject to Attribution	
Subject to Remuneration	(on the private purpose copying of their works, performances, films and sound recordings) fair and equitable remuneration ¹³⁷⁴ payable by manufacturer/importer/carrier of blank video and audio carriers, ¹³⁷⁵ and by

¹³⁷⁰ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁷¹ Art. 33(1).

¹³⁷² Art. 35(3).

¹³⁷³ Art. 33(2).

¹³⁷⁴ More details about the remuneration and the reporting requirements are spelt out in Arts. 20-22.

¹³⁷⁵ Art. 20(2).

	manufacturer/importer/carrier and operator for consideration of reprographic device, ¹³⁷⁶ payable to CMO, and due to authors, performers, producers
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Provision	Art. 35(2)
Scope of private/personal use	copying
Type(s) of source work(s)	complete book or whole of periodical or daily (work has been disclosed to the public ¹³⁷⁷), (performance, sound recording, radio or television programme, film) ¹³⁷⁸
Entity exercising private/personal use	
Purpose of private/personal use	private purpose
Condition of private/personal use	use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ¹³⁷⁹
Frequency/copies and limits	only by handwriting or typing
Preclusions (not part of private/personal use)	to have work copied by someone else by means of a computer and/or on an electronic data carrier ¹³⁸⁰
Subject to Attribution	
Subject to Remuneration	not required ("may be copied")

3. Quotations

Provision	Art. 34(1)
Scope of quotation	cite
Type(s) of source work(s)	any part of a published work (work has been disclosed to the public ¹³⁸¹), (performance, sound recording, radio or television programme, film) ¹³⁸²
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	citation to be true to original scope of citation to be justified by nature and purpose of the borrowing work
Preclusions (not part of quotation)	use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice

¹³⁷⁶ Art. 21(1). A reprographic device is defined as a device capable of reproducing books or periodicals “by photocopying or in like manner on paper or on like carrier”. *Id.*

¹³⁷⁷ Art. 33(1).

¹³⁷⁸ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁷⁹ Art. 33(2).

¹³⁸⁰ Art. 35(3).

¹³⁸¹ Art. 33(1).

¹³⁸² Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

	the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹³⁸³
Subject to Attribution	source, author
Subject to Remuneration	not required ("may be cited")

4. Research/Educational Reproduction

Provision	Art. 35(4)(a)
Scope of research/educational reproduction	a copy
Type(s) of source work(s)	a work (has been disclosed to the public ¹³⁸⁴), (performance, sound recording, radio or television programme, film) ¹³⁸⁵
Entity exercising reproduction	publicly accessible libraries, educational establishments, ¹³⁸⁶ museums and archives as well as audio and audiovisual archives
Purpose of educational reproduction	internal institutional purposes and required for scientific research
Condition of reproduction	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹³⁸⁷
Frequency/copies and limits	to the extent and in the way justified by such a purpose
Preclusions (not part of research/educational reproduction)	copy "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("shall be allowed")

Provision	Art. 35(4)(c)
Scope of research/educational reproduction	a copy
Type(s) of source work(s)	a minor part of a work made public or of an article published in a newspaper or periodical, (performance, sound recording, radio or television programme, film) ¹³⁸⁸

¹³⁸³ Art. 33(2).

¹³⁸⁴ Art. 33(1).

¹³⁸⁵ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁸⁶ Art. 33(4) (defining use in "educational establishments" as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

¹³⁸⁷ Art. 33(2).

¹³⁸⁸ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

Entity exercising reproduction	publicly accessible libraries, educational establishments, ¹³⁸⁹ museums and archives as well as audio and audiovisual archives
Purpose of educational reproduction	internal institutional purposes
Condition of reproduction	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use ¹³⁹⁰
Frequency/copies and limits	to the extent and in the way justified by such a purpose
Preclusions (not part of research/educational reproduction)	copy "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("shall be allowed")

Provision	Art. 35(5)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a work published as a book, newspaper, periodical article, (performance, sound recording, radio or television programme, film) ¹³⁹¹
Entity exercising reproduction	
Purpose of educational reproduction	school education or exams in public and higher education
Condition of reproduction	reproduction is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use ¹³⁹²
Frequency/copies and limits	specific parts of the work in a number corresponding to the number of pupils in a class/necessary for purpose
Preclusions (not part of research/educational reproduction)	reproduction "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("may be reproduced")

¹³⁸⁹ Art. 33(4) (defining use in "educational establishments" as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

¹³⁹⁰ Art. 33(2).

¹³⁹¹ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁹² Art. 33(2).

Provision	Art. 68(2)
Scope of research/educational reproduction	picture
Type(s) of source work(s)	a fine art, architectural, applied art and industrial design creation, artistic photographs, (performance, sound recording, radio or television programme, film) ¹³⁹³
Entity exercising reproduction	
Purpose of educational reproduction	scientific educational lectures as well as school education
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... paying remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 34(2)
Scope of anthologies/compilations limitation/exception	borrowing (using of a work in another work to an extent that goes beyond citation) ¹³⁹⁴ for illustration
Type(s) of source work(s)	part of a literary or musical work or such a type of an entire work of a minor volume (has been disclosed to the public ¹³⁹⁵), (performance, sound recording, radio or television programme, film) ¹³⁹⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching and scientific research
Condition of anthologies/compilations limitation/exception	borrowing work is not used for commercial purposes no author's authorization required where borrowing work qualifies as a textbook/reference book and school education purposes is indicated on its front page ¹³⁹⁷
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a

¹³⁹³ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁹⁴ Art. 34(2) (defining "borrowing").

¹³⁹⁵ Art. 33(1).

¹³⁹⁶ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹³⁹⁷ Art. 34(3).

	purpose incompatible with the intention of free use ¹³⁹⁸
Subject to Attribution	source, author
Subject to Remuneration	not required ("may be borrowed")

6. School Performances

Provision	Art. 38(1)(b)
Scope of school performance	performance
Type(s) of source work(s)	a work (that has been disclosed to the public ¹³⁹⁹), (performance, sound recording, radio or television programme, film) ¹⁴⁰⁰
Entity exercising school performance	
Purpose of school performance	school education or at celebrations held at school
Condition of school performance	not designed to earn or increase income even in an indirect manner participants do not receive remuneration
Preclusions (not part of school performance)	dancing party held at a school is not "performance for purposes of school education" ¹⁴⁰¹ performance "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹⁴⁰²
Subject to Attribution	
Subject to Remuneration	not required ("works may be performed")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 35(4)(a)
Scope of broadcast/communication/recording	a copy [as a recording]
Type(s) of source work(s)	a work (has been disclosed to the public ¹⁴⁰³), (performance, sound recording, radio or television programme, film) ¹⁴⁰⁴
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments, ¹⁴⁰⁵ museums and archives as

¹³⁹⁸ Art. 33(2).

¹³⁹⁹ Art. 33(1).

¹⁴⁰⁰ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹⁴⁰¹ Art. 38(3).

¹⁴⁰² Art. 33(2).

¹⁴⁰³ Art. 33(1).

¹⁴⁰⁴ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

	well as audio and audiovisual archives
Purpose of broadcast/communication/recording	internal institutional purposes and required for scientific research
Condition of broadcast/communication/recording	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way
Frequency/limits of broadcast/communication/recording	to the extent and in the way justified by such a purpose
Preclusions (not part of broadcast/communication/recording)	copy "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹⁴⁰⁶
Subject to Attribution	
Subject to Remuneration	not required ("shall be allowed")

Provision	Art. 35(4)(c)
Scope of broadcast/communication/recording	a copy [as a recording]
Type(s) of source work(s)	a minor part of a work made public or of an article published in a newspaper or periodical, (performance, sound recording, radio or television programme, film) ¹⁴⁰⁷
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments, ¹⁴⁰⁸ museums and archives as well as audio and audiovisual archives
Purpose of broadcast/communication/recording	internal institutional purposes
Condition of broadcast/communication/recording	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way
Frequency/limits of broadcast/communication/recording	to the extent and in the way justified by such a purpose
Preclusions (not part of broadcast/communication/recording)	copy "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹⁴⁰⁹

¹⁴⁰⁵ Art. 33(4) (defining use in "educational establishments" as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

¹⁴⁰⁶ Art. 33(2).

¹⁴⁰⁷ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹⁴⁰⁸ Art. 33(4) (defining use in "educational establishments" as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

¹⁴⁰⁹ Art. 33(2).

Subject to Attribution	
Subject to Remuneration	not required ("shall be allowed")

Provision	Art. 35(5)
Scope of broadcast/communication/recording	reproduction [as a recording]
Type(s) of source work(s)	a work published as a book, newspaper, periodical article, (performance, sound recording, radio or television programme, film) ¹⁴¹⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	school education or exams in public and higher education
Condition of broadcast/communication/recording	specific parts of the work
Frequency/limits of broadcast/communication/recording	in a number corresponding to the number of pupils in a class/necessary for purpose
Preclusions (not part of broadcast/communication/recording)	reproduction "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ¹⁴¹¹
Subject to Attribution	
Subject to Remuneration	not required ("may be reproduced")

Provision	Art. 34(2)
Scope of broadcast/communication/recording	borrowing [as a recording] (using of a work in another work to an extent that goes beyond citation) ¹⁴¹² for illustration
Type(s) of source work(s)	part of a literary or musical work or such a type of an entire work of a minor volume (has been disclosed to the public ¹⁴¹³), (performance, sound recording, radio or television programme, film) ¹⁴¹⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching and scientific research
Condition of broadcast/communication/recording	borrowing work is not used for commercial purposes no author's authorization required where borrowing work qualifies as a textbook/reference

¹⁴¹⁰ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹⁴¹¹ Art. 33(2).

¹⁴¹² Art. 34(2) (defining "borrowing").

¹⁴¹³ Art. 33(1).

¹⁴¹⁴ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

	book and school education purposes is indicated on its front page ¹⁴¹⁵
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	reproduction “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ¹⁴¹⁶
Subject to Attribution	source, author
Subject to Remuneration	not required ("may be borrowed")

Provision	Art. 38(5)
Scope of broadcast/communication/recording	display, communicate or make available, to individual members of the public on screens of dedicated terminals on the premises of such entities ¹⁴¹⁷
Type(s) of source work(s)	works, (performances, sound recordings, radio or television programmes, films) ¹⁴¹⁸ forming part of the collection, of
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments ¹⁴¹⁹ , museums, archives, as well as audio and audiovisual archives
Purpose of broadcast/communication/recording	research or private study
Condition of broadcast/communication/recording	not for direct or indirect earning or increasing income beneficiary entity to provide info that the work made available can only be used for purposes of research or private study in Art. 38(5) [this article] ¹⁴²⁰ beneficiary entity to require user’s statement, as a precondition of access, that user will use the terminals for purposes of research or private study in Art. 38(5) [this article] ¹⁴²¹ in the absence of a contractual provision to the contrary

¹⁴¹⁵ Art. 34(3).

¹⁴¹⁶ Art. 33(2).

¹⁴¹⁷ Government Decree No. 117 of 2004 (IV. 28.) Korm. on the Determination of the Manner & Conditions of the Communication & Making Available to the Public in the Case of Free Use Provided for in Article 38(5) of Act LXXVI of 1999 on Copyright [hereinafter Government Decree No. 117], Art. 3 (providing that beneficiary entities’ terminals may be interconnected to one another).

¹⁴¹⁸ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

¹⁴¹⁹ Art. 33(4) (defining “educational establishment”).

¹⁴²⁰ *Id.*, Art. 2(1)(b).

¹⁴²¹ *Id.*, Art. 2(2).

Frequency/limits of broadcast/communication/recording	user will use the terminals for purposes of research or private study in Art. 38(5) [this article] ¹⁴²² beneficiary entity to apply a safe technical solution which hinders the modification/ reproduction/communication to the public of the works in its collection to non-users ¹⁴²³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("may be ... freely")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 95/A
Scope of TPM/RMI exception	require rightholder who used technological measures in respect of his work, (performance, sound recording, radio or television programme, film, database) ¹⁴²⁴ to make free use possible for the "beneficiary" who has lawful access to the work
Type(s) of source work(s)	(not applicable to a work, (performance, sound recording, radio or television programme, film, database) ¹⁴²⁵ made available to the public on basis of a contract in such a way that members of the public may access the work from a place and at a time individually chosen by them ¹⁴²⁶)
Beneficiary exercising exception	"beneficiary" of limitation/exception for reprographic reproduction for [purposes]
Purpose of exception	private purposes (Arts. 21(1), 35(1)), illustration for teaching and scientific research (Art. 34(2)), copy of work for internal purposes of educational establishments (Art. 35(4))
Condition of exception	

¹⁴²² *Id.*, Art. 2(2).

¹⁴²³ Government Decree No. 117, Art. 2(1)(a).

¹⁴²⁴ Art. 99 (providing that the TPM provisions shall apply to neighbouring rights (in Chapter XI) and databases (in Chapter XI/A)).

¹⁴²⁵ *Id.*

¹⁴²⁶ Art. 95/A(2), taken from EU Copyright Directive 2001/29, Art. 6(4).

Iceland

1. Legislation Reviewed

The 1972 Copyright Act as amended in 1984, 1991 and 1992

2. Private/Personal Use

Provision	Art. 11
Scope of private/personal use	reproductions
Type(s) of source work(s)	a published work (including photos ¹⁴²⁷ and databases ¹⁴²⁸), (a performance, ¹⁴²⁹ an audio-visual recording, ¹⁴³⁰ a broadcast ¹⁴³¹)
Entity exercising private/personal use	individuals
Purpose of private/personal use	exclusively for private use
Condition of private/personal use	not done for commercial purposes reproductions may not be used for any other purpose
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, sculptures, applied art or drawing, if assistance of others is sought, musical and literary works, if assistance of others who carry out such reproduction on a commercial basis is sought, electronic databases, computer programs ¹⁴³²
Subject to Attribution	
Subject to Remuneration	recording for private use on tape, disk, CD-ROM or other means, by which audio/video material may be recorded: special compensation for media and for equipment intended for such recording, payable by producer/importer and collected by CMOs for distribution to authors of works which have been broadcast or issued on audio/video recording ¹⁴³³

3. Quotations

Provision	Art. 14
Scope of quotation	quotation
Type(s) of source work(s)	any presented literary work, including dramatic works and presented cinematographic or musical

¹⁴²⁷ Art. 49.

¹⁴²⁸ Art. 50.

¹⁴²⁹ Art. 45.

¹⁴³⁰ Art. 46.

¹⁴³¹ Art. 48.

¹⁴³² Art. 11a (excepting the copying of a computer program for backup and security purposes, and for utilization of the computer program).

¹⁴³³ Art. 11.

	works, presentations of pictures and drawings of presented works of art and documents, (a photo, ¹⁴³⁴ a database ¹⁴³⁵), (a performance, ¹⁴³⁶ an audio-visual recording, ¹⁴³⁷ a broadcast ¹⁴³⁸)
Entity exercising quotation	
Purpose of quotation	in the context of a critical or scientific public discussion, or other recognised purpose
Condition of quotation	quotation is correct and of reasonable length no commercial purpose is involved
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	remuneration where pictures or drawings of two or more works by the same author are presented in a text intended as general information to author

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17
Scope of anthologies/compilations limitation/exception	presentations in composite works, consisting of selections
Type(s) of source work(s)	works by many authors (but not works created and published for use in classroom instruction without the author's consent), (including photos ¹⁴³⁹ and databases ¹⁴⁴⁰)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	compiled for use in religious services, classroom instruction or educational broadcasting
Condition of anthologies/compilations limitation/exception	no commercial purpose is involved pictures or drawings of works of art or documents, in connection with aforesaid texts
Frequency/copies and limits	individual literary or musical works, if they are of limited size, and chapters taken from longer works lapse of 5 years from year in which work was published/presented
Preclusions (not part of anthologies/compilations)	

¹⁴³⁴ Art. 49.¹⁴³⁵ Art. 50.¹⁴³⁶ Art. 45.¹⁴³⁷ Art. 46.¹⁴³⁸ Art. 48.¹⁴³⁹ Art. 49.¹⁴⁴⁰ Art. 50.

limitation/exception)	
Subject to Attribution	
Subject to Remuneration	remuneration entitlement for author of work presented in composition

6. School Performances

Provision	Art. 21(1)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ¹⁴⁴¹ , (including a photo ¹⁴⁴² and a database ¹⁴⁴³), (a performance, ¹⁴⁴⁴ an audio recording, ¹⁴⁴⁵ a broadcast ¹⁴⁴⁶)
Entity exercising school performance	
Purpose of school performance	educational purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	if admission is charged especially for this performance: remuneration entitlement for author otherwise: not required ("may be performed publicly")

Provision	Art. 21(2)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ¹⁴⁴⁷ , (including a photo ¹⁴⁴⁸ and a database ¹⁴⁴⁹), (a performance, ¹⁴⁵⁰ an audio recording, ¹⁴⁵¹ a broadcast ¹⁴⁵²)
Entity exercising school performance	
Purpose of school performance	at gatherings held for purposes of charity, at public gatherings, for the promotion of culture or education, or in support of causes otherwise favourable to the common good
Condition of school performance	no remuneration is made for the performance
Preclusions (not part of school performance)	

¹⁴⁴¹ Art. 21 proviso.

¹⁴⁴² Art. 49.

¹⁴⁴³ Art. 50.

¹⁴⁴⁴ Art. 45.

¹⁴⁴⁵ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

¹⁴⁴⁶ Art. 48.

¹⁴⁴⁷ Art. 21 proviso.

¹⁴⁴⁸ Art. 49.

¹⁴⁴⁹ Art. 50.

¹⁴⁵⁰ Art. 45.

¹⁴⁵¹ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

¹⁴⁵² Art. 48.

Subject to Attribution	
Subject to Remuneration	not required ("may be performed publicly")

Provision	Art. 21(3)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ¹⁴⁵³ , (including a photo ¹⁴⁵⁴ and a database ¹⁴⁵⁵), (a performance, ¹⁴⁵⁶ an audio recording, ¹⁴⁵⁷ a broadcast ¹⁴⁵⁸)
Entity exercising school performance	
Purpose of school performance	at gatherings not organised for commercial purposes or financial gain, such as meetings of schools or societies, and other similar occasions
Condition of school performance	no remuneration is made for the performance admission charges no higher than necessary to cover direct costs incurred
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("may be performed publicly")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 18
Scope of broadcast/communication/recording	audio recording
Type(s) of source work(s)	presented works (but not gramophone records or other audio recordings which are produced for commercial sale), (photos, ¹⁴⁵⁹ databases ¹⁴⁶⁰), (performances, ¹⁴⁶¹ audio-visual recordings, ¹⁴⁶² broadcasts ¹⁴⁶³)
Entity exercising broadcast/communication/recording	public educational institutions
Purpose of broadcast/communication/recording	instructional use
Condition of broadcast/communication/recording	audio recordings may not be used for any other purposes

¹⁴⁵³ Art. 21 proviso.

¹⁴⁵⁴ Art. 49.

¹⁴⁵⁵ Art. 50.

¹⁴⁵⁶ Art. 45.

¹⁴⁵⁷ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

¹⁴⁵⁸ Art. 48.

¹⁴⁵⁹ Art. 49.

¹⁴⁶⁰ Art. 50.

¹⁴⁶¹ Art. 45.

¹⁴⁶² Art. 46.

¹⁴⁶³ Art. 48.

Frequency/limits of broadcast/communication/recording	temporary use
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 50b
Scope of TPM/RMI exception	circumventing technological measures
Type(s) of source work(s)	
Beneficiary exercising exception	
Purpose of exception	study of encryption
Condition of exception	

Provision	Art. 50c
Scope of TPM/RMI exception	the rightholder applying technological measures to grant user access to means necessary for the user to employ the limitations to copyright, failing which user may ignore the technological measures ¹⁴⁶⁴
Type(s) of source work(s)	work/other materials (but not applicable to works/other materials made accessible to the public under an agreement on an 'on-demand' basis ¹⁴⁶⁵)
Beneficiary exercising exception	users who, <i>inter alia</i> , present pictures/drawings of presented works of art/documents (Art. 12(2)), present individual literary/musical works in composite works for classroom instruction or educational broadcasting (Art. 17(1)), publicly perform works for educational purposes (Art. 21(1) item 1)
Purpose of exception	[to have legal access to the work/other materials pursuant to the copyright limitations]
Condition of exception	user has legal access to the work/material in question ¹⁴⁶⁶ rightholder has not voluntarily taken measures which would ensure that the user is not able to invoke this exception ¹⁴⁶⁷

¹⁴⁶⁴ The Rulings Committee may grant the user access to the means necessary to employ the copyright limitations. This would include requiring the rightholder to ... If the rightholder does not comply with the committee's instructions within four weeks, the user may ignore the technological measures.

¹⁴⁶⁵ Art. 50c line 5, taken from EU Copyright Directive 2001/29, Art. 6(4).

¹⁴⁶⁶ Art. 50c para 1.

¹⁴⁶⁷ Art. 50c para 2.

India

1. Legislation Reviewed

Copyright Act, 1957 (as consolidated up to Act No. 49 of 1999), as revised by the Copyright (Amendment) Act, 2012

2. Private/Personal Use

Provision	s 52(1)(a)(i)
Scope of private/personal use	a fair dealing
Type(s) of source work(s)	any work, not being a computer programme
Entity exercising private/personal use	
Purpose of private/personal use	private or personal use, including research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

Provision	s 39(a)
Scope of private/personal use	making of sound recording or visual recording
Type(s) of source work(s)	a broadcast, a performance
Entity exercising private/personal use	a person
Purpose of private/personal use	private use of person making such recording
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("No ... right shall be deemed to be infringed")

3. Quotations

Provision	s 52(1)(a)(ii)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, not being a computer programme
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work or of any other work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

4. Research/Educational Reproduction

Provision	s 51(1)(i)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	any work, (a broadcast, a performance) ¹⁴⁶⁸
Entity exercising reproduction	
Purpose of educational reproduction	by a teacher or a pupil in the course of instruction, or as part of the questions to be answered in an examination, or in answers to such questions
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 52(1)(h)
Scope of anthologies/compilations limitation/exception	publication in a collection
Type(s) of source work(s)	short passages from published literary or dramatic works, (broadcasts, performances) ¹⁴⁶⁹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for instructional use
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of non-copyright matter source works themselves not published for instructional use
Frequency/copies and limits	no more than 2 excerpts from works by same author ¹⁴⁷⁰ published by same publisher within 5 year period ¹⁴⁷¹
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ¹⁴⁷²

¹⁴⁶⁸ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

¹⁴⁶⁹ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

¹⁴⁷⁰ S 52(h) explanation (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁴⁷¹ S 52(h) proviso.

¹⁴⁷² S 2(1) (defining "sufficient acknowledgement").

Subject to Remuneration	not required ("shall not constitute an infringement of copyright")
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6. School Performances

Provision	s 52(1)(j)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work, or a cinematograph film or a sound recording, or (a broadcast, a performance) ¹⁴⁷³
Entity exercising school performance	staff and students of the institution
Purpose of school performance	course of the activities of an educational institution
Condition of school performance	audience is limited to such staff and students, the parents and guardians of the students and persons connected with the activities of the institution or the communication to such an audience of a cinematograph film or sound recording
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 39(a)
Scope of broadcast/communication/recording	making of any sound recording or visual recording
Type(s) of source work(s)	a broadcast, performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for purposes of bona fide teaching or research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("No ... right shall be deemed to be infringed")

Provision	s 39(b)
Scope of broadcast/communication/recording	use

¹⁴⁷³ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

Type(s) of source work(s)	excerpts of a broadcast, performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for bona fide review, teaching or research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("No ... right shall be deemed to be infringed")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 32(1A)
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for production, translation and publication, in any language in general use in India, in printed or analogous forms of reproduction in India ¹⁴⁷⁴
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	a literary or dramatic work, other than an Indian work
Licence applicant/entity	any person
Purpose of licence	translation is required for the purposes of teaching, scholarship or research
Condition of licence	licence application may be made: 7 years from first publication, ¹⁴⁷⁵ or 3 years from first publication (if required for teaching, scholarship or research), ¹⁴⁷⁶ or 1 year from first publication (where translation is in language not in general use in any developed country) ¹⁴⁷⁷ work has not been previously translated into the language in the licence application and published by the copyright owner/authorised person, within 7/3/1 year of first publication, or if translation has been so published, it has been out of print ¹⁴⁷⁸

¹⁴⁷⁴ S 32(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the translation of the work outside India and every copy of such translation shall contain a notice in the language of such translation that the copy is available for distribution only in India, though the Indian government or any authority under the Government may export copies of such translation in a language other than English, French or Spanish to any country to Indian citizens domiciled abroad, or for purposes of teaching, scholarship or research and not for any commercial purpose, and where permission for export has been given by the importing country).

¹⁴⁷⁵ S 32(1).

¹⁴⁷⁶ S 32(1A).

¹⁴⁷⁷ S 32(1A) proviso.

¹⁴⁷⁸ S 32(4)(a).

	<p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher¹⁴⁷⁹</p> <p>name of author and title of particular edition proposed to be translated are printed on all copies of the translation¹⁴⁸⁰</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish a correct translation and possesses the means to pay copyright royalties¹⁴⁸¹</p> <p>author has not withdrawn from circulation copies of the work¹⁴⁸²</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner¹⁴⁸³</p> <p>subject to licensee's sale of existing copies, licence nullified if copyright owner is publishing or has permitted the publishing of translated work in the same language and substantially the same in content at a price normally charged for translation of works of the same standard¹⁴⁸⁴</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work in respect of copies of translation sold to the public ¹⁴⁸⁵
Price of publication	licence application to state in licence application proposed retail price of a copy of the translation of the work ¹⁴⁸⁶
Distribution conditions	
Grantor of compulsory licence	Copyright Board

Provision	s 32(5)
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for production, translation, publication and broadcasting of such translation in India ¹⁴⁸⁷
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994

¹⁴⁷⁹ S 32(4)(b), (c). In addition, a waiting period of 6/9 months has lapsed before the licence application has been made. S 32(4)(cc).

¹⁴⁸⁰ S 32(4)(ccc)(i).

¹⁴⁸¹ S 32(4)(d).

¹⁴⁸² S 32(4)(e).

¹⁴⁸³ S 32(4)(f).

¹⁴⁸⁴ S 32B(1).

¹⁴⁸⁵ S 32(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

¹⁴⁸⁶ S 32(2).

¹⁴⁸⁷ S 32(6)(c).

Type(s) of source work(s)	a literary or dramatic work, other than an Indian work, or any text incorporated in audiovisual fixations prepared and published solely for the purpose of systematic instructional activities ¹⁴⁸⁸
Licence applicant/entity	any broadcasting authority
Purpose of licence	for the purposes of teaching or for the dissemination of the results of specialised, technical or scientific research to the experts in any particular field ¹⁴⁸⁹
Condition of licence	<p>licence application may be made: 7 years from first publication,¹⁴⁹⁰ or 3 years from first publication (if required for teaching, scholarship or research),¹⁴⁹¹ or 1 year from first publication (where translation is in language not in general use in any developed country)¹⁴⁹²</p> <p>work has not been previously translated into the language in the licence application and published by the copyright owner/authorised person, within 7/3/1 year of first publication, or if translation has been so published, it has been out of print¹⁴⁹³</p> <p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher¹⁴⁹⁴</p> <p>name of author and title of particular edition proposed to be translated are printed on all copies of the translation¹⁴⁹⁵</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish a correct translation and possesses the means to pay copyright royalties¹⁴⁹⁶</p> <p>author has not withdrawn from circulation copies of the work¹⁴⁹⁷</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner¹⁴⁹⁸</p>

¹⁴⁸⁸ S 32(5).¹⁴⁸⁹ S 32(5).¹⁴⁹⁰ S 32(1).¹⁴⁹¹ S 32(1A).¹⁴⁹² S 32(1A) proviso.¹⁴⁹³ S 32(4)(a).¹⁴⁹⁴ S 32(4)(b), (c). In addition, a waiting period of 6/9 months has lapsed before the licence application has been made. S 32(4)(cc).¹⁴⁹⁵ S 32(4)(ccc)(i).¹⁴⁹⁶ S 32(4)(d).¹⁴⁹⁷ S 32(4)(e).¹⁴⁹⁸ S 32(4)(f).

	<p>translation is made from a lawfully acquired work¹⁴⁹⁹</p> <p>broadcast is made through the medium of sound and visual recordings¹⁵⁰⁰</p> <p>such recordings have been lawfully and exclusively made for the purpose of broadcasting in India by the licence applicant or by any other broadcasting agency¹⁵⁰¹</p> <p>the translation and broadcasting of such translation are not used for any commercial purposes¹⁵⁰²</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work ¹⁵⁰³
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Copyright Board

Provision	s 32A
Nature of compulsory licence for reproduction for educational purposes	<p>non-exclusive compulsory licence, for:</p> <p>* reproduction and publication, in printed or analogous forms of reproduction in India¹⁵⁰⁴ [of a work]</p> <p>* reproduction and publication, or translation [sic] into a language in general use in India¹⁵⁰⁵ [of an audiovisual fixation]</p>
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	<p>* an edition of a literary, scientific or artistic work¹⁵⁰⁶</p> <p>* any text incorporated in audiovisual fixations prepared and published solely for the purpose of systematic instructional activities¹⁵⁰⁷</p>
Licence applicant/entity	any person
Purpose of licence	systematic instructional activities
Condition of licence	licence application may be made: any work of, or relating to, fiction, poetry, drama,

¹⁴⁹⁹ S 32(6)(a).

¹⁵⁰⁰ S 32(6)(b).

¹⁵⁰¹ S 32(6)(c).

¹⁵⁰² S 32(6)(d).

¹⁵⁰³ S 32(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

¹⁵⁰⁴ S 32A(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the reproduction of the work outside India).

¹⁵⁰⁵ S 32A(6).

¹⁵⁰⁶ S 32A(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the reproduction of the work outside India).

¹⁵⁰⁷ S 32A(6).

	<p>music or art - 7 years from first publication, or any work of, or relating to, natural science, physical science, mathematics or technology - 3 years from first publication, or any other work - 1 year from first publication¹⁵⁰⁸</p> <p>work has not been previously reproduced and published by the copyright owner/authorised person, within 3/6 months of licence application¹⁵⁰⁹</p> <p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher¹⁵¹⁰</p> <p>name of author and title of particular edition proposed to be reproduced are printed on all copies of the translation¹⁵¹¹</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish an accurate reproduction and possesses the means to pay copyright royalties¹⁵¹²</p> <p>author has not withdrawn from circulation copies of the work¹⁵¹³</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner¹⁵¹⁴</p> <p>no licence to reproduce and publish the translation of a work under this section unless translation has been published by owner of translation right/authorised person and translation is not in a language in general use in India¹⁵¹⁵</p> <p>subject to licensee's sale of existing copies, licence nullified if copyright owner is publishing or has permitted the publishing of work in the same language and substantially the same in content at</p>
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¹⁵⁰⁸ S 32A(6) explanation.

¹⁵⁰⁹ S 32A(4)(e) (providing for a waiting period of 6 months for any work of natural science, physical science, mathematics or technology, or 3 months for any other work).

¹⁵¹⁰ S 32A(4)(a), (b). In addition, a waiting period of 3 months has lapsed before the licence application has been made, if the copyright owner is not found. S 32A(4)(b).

¹⁵¹¹ S 32A(4)(f).

¹⁵¹² S 32A(4)(c).

¹⁵¹³ S 32A(4)(g).

¹⁵¹⁴ S 32A(4)(h).

¹⁵¹⁵ S 32A(5).

	a price normally charged for works of the same standard ¹⁵¹⁶
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work in respect of copies of reproduction sold to the public ¹⁵¹⁷
Price of publication	retail price to be proposed by licence applicant, ¹⁵¹⁸ at price as may be fixed by Copyright Board, reasonably related to price normally charged in India for works of the same standard on the same or similar subjects ¹⁵¹⁹
Grantor of compulsory licence	Copyright Board

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 65A(2)(b)
Scope of TPM/RMI exception	to do anything to circumvent an effective technological measure
Type(s) of source work(s)	a work, (a broadcast, a performance) ¹⁵²⁰
Beneficiary exercising exception	a person
Purpose of exception	necessary to conduct encryption research
Condition of exception	using a lawfully obtained encrypted copy [of a work]

¹⁵¹⁶ S 32B(2).

¹⁵¹⁷ S 32A(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

¹⁵¹⁸ S 32A(2).

¹⁵¹⁹ Ss 32A(1) proviso, (4)(d).

¹⁵²⁰ S 39A(1) (applying the provision as it applied in relation to copyright in a work to broadcast reproduction right in any broadcast and performer's right in any performance).

Indonesia

1. Legislation Reviewed

Law of the Republic of Indonesia No. 28 of September 16, 2014, on Copyright

2. Private/Personal Use

Provision	Art. 46
Scope of private/personal use	copying
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, whole or substantial part of book or musical notation, whole or substantial part of a database in digital form, computer program ¹⁵²¹ , any reproduction for personal interests which would "conflict with the legitimate interests of the author or copyright owner"
Subject to Attribution	
Subject to Remuneration	not required ("without the permission of the Author or the Copyright Holder")

3. Quotations

Provision	Art. 44(1).a
Scope of quotation	use, retrieval, reproduction, modification
Type(s) of source work(s)	all or substantial portion of works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising quotation	
Purpose of quotation	criticizing or reviewing an issue
Condition of quotation	
Preclusions (not part of quotation)	does not prejudice the legitimate interest of the author or copyright holder
Subject to Attribution	source (mentioned or included in full)
Subject to Remuneration	not required ("not considered a violation of copyright")

4. Research/Educational Reproduction

Provision	Art. 44(1).a
Scope of research/educational reproduction	use, retrieval, reproduction, modification

¹⁵²¹ Art. 45 (excepting use of the computer program and for backup/archival purposes).

Type(s) of source work(s)	all or substantial portion of works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising reproduction	
Purpose of educational reproduction	education, research, scientific writing
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	does not prejudice the legitimate interest of the author or copyright holder
Subject to Attribution	source (mentioned or included in full)
Subject to Remuneration	not required ("not considered a violation of copyright")

Provision	Art. 44(1).c
Scope of research/educational reproduction	use, retrieval, reproduction, modification
Type(s) of source work(s)	all or substantial portion of works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising reproduction	
Purpose of educational reproduction	lectures for purposes of education and science
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source (mentioned or included in full)
Subject to Remuneration	not required ("not considered a violation of copyright")

Provision	Art. 26.b
Scope of research/educational reproduction	reproduction ¹⁵²²
Type(s) of source work(s)	works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising reproduction	
Purpose of educational reproduction	scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... does not apply")

Provision	Art. 26.c
Scope of research/educational reproduction	reproduction ¹⁵²³
Type(s) of source work(s)	works and/or related rights products (performances, phonograms, broadcasts), except for performances and phonograms published as teaching materials

¹⁵²² Art. 26.b creates an exception as to the economic rights of performances, phonograms and broadcasts.

¹⁵²³ Art. 26.c creates an exception as to the economic rights of performances, phonograms and broadcasts.

Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... does not apply")

Provision	Art. 26.d
Scope of research/educational reproduction	use ¹⁵²⁴
Type(s) of source work(s)	works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising reproduction	
Purpose of educational reproduction	education and development of science
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... does not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 44(1).d
Scope of school performance	use, retrieval, reproduction, modification
Type(s) of source work(s)	all or substantial portion of works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising school performance	
Purpose of school performance	performances or performances that are free [sic]
Condition of school performance	
Preclusions (not part of school performance)	does not prejudice the legitimate interest of the author
Subject to Attribution	source (mentioned or included in full)
Subject to Remuneration	not required ("ot considered a violation of copyright")

Provision	Art. 26.d
Scope of school performance	use ¹⁵²⁵

¹⁵²⁴ Art. 26.b creates an exception as to the economic rights of performances, phonograms and broadcasts. Art. 26.d further specifies that use is permitted "without the permission of performers, producers of phonograms and broadcasters".

¹⁵²⁵ Art. 26.b creates an exception as to the economic rights of performances, phonograms and broadcasts. Art. 26.d further specifies that use is permitted "without the permission of performers, producers of phonograms and broadcasters".

Type(s) of source work(s)	works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising school performance	
Purpose of school performance	education and development of science
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... does not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 26.d
Scope of broadcast/communication/recording	use ¹⁵²⁶
Type(s) of source work(s)	works and/or related rights products (performances, phonograms, broadcasts)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	education and development of science
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... does not apply")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Arts. 84-86
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation [and/or reproduction] in Indonesia ¹⁵²⁷
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Purpose of licence	purpose of education and/or science and research and development activities ¹⁵²⁸
Condition of licence	everyone to work in the fields of science and literature ¹⁵²⁹

¹⁵²⁶ Art. 26.b creates an exception as to the economic rights of performances, phonograms and broadcasts. Art. 26.d further specifies that use is permitted "without the permission of performers, producers of phonograms and broadcasters".

¹⁵²⁷ Art. 86(4).

¹⁵²⁸ Art. 84.

¹⁵²⁹ Art. 85.

	<p>licence application may be made: for translation: 3 years from first creation (in the field of science and literature),¹⁵³⁰</p> <p>work has not been previously translated into Indonesian¹⁵³¹ or reproduced in Indonesia¹⁵³²</p> <p>Minister may require owner to carry out own translation in Indonesia in the allotted time, or require owner to permit others to carry out the translation in Indonesia within the specified time if the owner does not implement its own, or appoint another party [licensee] to perform translation if owner fails to do so¹⁵³³</p>
Compulsory licence fee(s)	on reasonable terms ¹⁵³⁴
Price of publication	
Distribution conditions	copies of translated work may not be exported ¹⁵³⁵
Grantor of compulsory licence	Minister ¹⁵³⁶

Provision	Arts. 84-86
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproduction in Indonesia ¹⁵³⁷
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Purpose of licence	purpose of education and/or science and research and development activities ¹⁵³⁸
Condition of licence	<p>everyone to work in the fields of science and literature¹⁵³⁹</p> <p>licence application may be made: for reproduction: 3 years from first publication (for books in the fields of mathematics and natural sciences, social sciences and art and literature)¹⁵⁴⁰</p> <p>work has not been previously reproduced in Indonesia¹⁵⁴¹</p> <p>Minister may require owner to carry out own reproduction in Indonesia in the allotted time, or</p>

¹⁵³⁰ Art. 86(2) [reproduced].

¹⁵³¹ Art. 86(2).

¹⁵³² Art. 86(3).

¹⁵³³ Art. 86(1) paras. a-c.

¹⁵³⁴ Art. 86(5).

¹⁵³⁵ Art. 86(4).

¹⁵³⁶ Arts. 85, 86(1).

¹⁵³⁷ Art. 86(4).

¹⁵³⁸ Art. 84.

¹⁵³⁹ Art. 85.

¹⁵⁴⁰ Art. 86(3).

¹⁵⁴¹ Art. 86(3).

	require owner to permit others to carry out the reproduction in Indonesia within the specified time if the owner does not implement its own, or appoint another party [licensee] to perform reproduction if owner fails to do so ¹⁵⁴²
Compulsory licence fee(s)	on reasonable terms ¹⁵⁴³
Price of publication	
Distribution conditions	copies of reproduced work may not be exported ¹⁵⁴⁴
Grantor of compulsory licence	Minister ¹⁵⁴⁵

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 52
Scope of TPM/RMI exception	exception to permit damaging, destroying, removing or making it [non] functional control means used as protective technology for
Type(s) of source work(s)	copyright works or product of related rights
Beneficiary exercising exception	
Purpose of exception	other reasons appropriate with the provisions of the [Copyright] legislation, or agreed otherwise [with the rightholder]
Condition of exception	

Notes: Art. 47 for libraries

¹⁵⁴² Art. 86(1) paras. a-c.

¹⁵⁴³ Art. 86(5).

¹⁵⁴⁴ Art. 86(4).

¹⁵⁴⁵ Arts. 85, 86(1).

Iran (Islamic Republic of)

1. Legislation Reviewed

Act for Protection of Authors, Composers and Artists Rights (Copyright Law)

2. Private/Personal Use

Article 11. Reproduction of works protected by this law, as mentioned in Article 2, section 1, and the recording of radio and television programmes are permissible, but only for private and noncommercial use.

Provision	Art. 11
Scope of private/personal use	reproduction, recording
Type(s) of source work(s)	[reproduction] a work, [recording] radio and television programmes
Entity exercising private/personal use	
Purpose of private/personal use	private and non-commercial use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("permissible")

3. Quotations

Provision	Art. 7
Scope of quotation	quote and refer
Type(s) of source work(s)	published works
Entity exercising quotation	
Purpose of quotation	for literary, scientific, technical or educational purposes, and in criticism or praise
Condition of quotation	customary limitations are observed
Preclusions (not part of quotation)	
Subject to Attribution	source (not necessary where work is reproduced for use in educational institutions by teachers employed thereat, and no monetary gain involved)
Subject to Remuneration	not required ("It is permissible")

4. Research/Educational Reproduction

Provision	Art. 8
Scope of research/educational reproduction	reproduction by photographic or similar process
Type(s) of source work(s)	protected works
Entity exercising reproduction	public libraries, documentation centers, scientific institutions and educational establishments, which are noncommercial
Purpose of educational reproduction	for purpose of their activities

Condition of reproduction	
Frequency/copies and limits	in numbers necessary
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("may reproduce")

Provision	Art. 10
Scope of research/educational reproduction	right to use
Type(s) of source work(s)	any school books already printed and issued in agreement with appropriate existing laws
Entity exercising reproduction	Ministry of Education
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Iraq

1. Legislation Reviewed

Order No. 83, Amendment to the Copyright Law; amending Copyright Law No. 3 of 1971

2. Private/Personal Use3. Quotations

Provision	Art. 14(1)(b)
Scope of quotation	copying
Type(s) of source work(s)	works being published in planning, relieving or photographing arts
Entity exercising quotation	
Purpose of quotation	explanation of the written [sic]
Condition of quotation	copying shall be confined with what is necessary
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("It is permitted")

4. Research/Educational Reproduction

Provision	Art. 14(1)(a)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	published scholarly, history, literature, science and art books
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	short extracts
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("It is permitted")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Ireland

1. Legislation Reviewed

Copyright and Related Rights Act, 2000 (No. 28 of 2000)

Copyright and Related Rights (Educational Establishments) Order, 2000 (S.I. No. 410 of 2000) (describing the educational establishments prescribed)

Copyright and Related Rights (Educational Establishments and Establishments to which Members of the Public have Access) Order, 2000 (S.I. No. 409 of 2000) (including libraries as educational establishments)

Copyright and Related Rights (Certification of Licensing Scheme for Reprographic Copying by Educational Establishments)(The Irish Copyright Licensing Agency Limited) Order 2002 (S.I. 514 of 2002) (establishing a licensing scheme by the ICLA for reprographic reproductions by educational establishments)

Copyright and Related Rights (Amendment) Act 2007 (S.I. No. 39 of 2007) (replacing ss 58, 226)

2. Private/Personal Use

Provision	s 50(1), (2)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable programme, non-electronic database, typographical arrangement
Entity exercising private/personal use	
Purpose of private/personal use	purpose of research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	<p>“person [other than researcher or student] copying knows or has reason to believe that the copying will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose”¹⁵⁴⁶</p> <p>converting a computer program into a higher level version, or copying a computer program in an incidental manner in the course of converting it¹⁵⁴⁷</p> <p>making use of the source work which has already been lawfully made available to the public, “for a purpose and to an extent which will not</p>

¹⁵⁴⁶ S 50(3)(b).

¹⁵⁴⁷ S 50(5).

	unreasonably prejudice the interests of the owner of the copyright" ¹⁵⁴⁸
Subject to Attribution	
Subject to Remuneration	not required ("shall not infringe any copyright")

3. Quotations

Provision	s 51
Scope of quotation	fair dealing
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ¹⁵⁴⁹
Subject to Remuneration	not required ("shall not infringe any copyright")

Provision	s 221
Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording, lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another performance or recording
Condition of quotation	
Preclusions (not part of quotation)	purpose and to an extent which will not unreasonably prejudice the interests of the rights owner
Subject to Attribution	
Subject to Remuneration	not required ("shall not infringe any of [neighbouring] rights")

4. Research/Educational Reproduction

Provision	s 50(1), (2)
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable programme, non-electronic database, typographical arrangement
Entity exercising reproduction	
Purpose of educational reproduction	purpose of research or private study

¹⁵⁴⁸ S 50(4).

¹⁵⁴⁹ S 51(3) (defining "sufficient acknowledgement").

Condition of reproduction	
Frequency/copies and limits	copying by a person other than researcher or student is not fair dealing if “person copying knows or has reason to believe that the copying will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ¹⁵⁵⁰
Preclusions (not part of research/educational reproduction)	does not include converting a computer program into a higher level version, or copying a computer program in an incidental manner in the course of converting it ¹⁵⁵¹ “fair dealing” means making use of the source work which has already been lawfully made available to the public, “for a purpose and to an extent which will not unreasonably prejudice the interests of the owner of the copyright” ¹⁵⁵²
Subject to Attribution	
Subject to Remuneration	not required (“shall not infringe any copyright”)

Provision	s 53(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	literary, dramatic, musical or artistic work, typographical arrangement
Entity exercising reproduction	by or on behalf of a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction
Condition of reproduction	not by means of a reprographic process
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁵³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title (or other description), author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ¹⁵⁵⁴
Subject to Remuneration	not required (“copyright ... is not infringed”)

Provision	s 53(3)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	sound recording, film, broadcast or cable programme, original database
Entity exercising reproduction	by or on behalf of a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for

¹⁵⁵⁰ S 50(3)(b).

¹⁵⁵¹ S 50(5).

¹⁵⁵² S 50(4).

¹⁵⁵³ S 53(7).

¹⁵⁵⁴ Ss 53(2)(c), 51(3) (defining “sufficient acknowledgement”).

	instruction
Condition of reproduction	
Frequency/copies and limits	a single copy being made copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁵⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 53(5)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	setting the questions, communicating the questions to the candidates, or answering the questions
Condition of reproduction	does not apply to making of a reprographic copy of a musical work for use by an examination candidate in performing the work ¹⁵⁵⁶
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁵⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 57
Scope of research/educational reproduction	reprographic copies ¹⁵⁵⁸
Type(s) of source work(s)	passages from published literary, dramatic or musical works, typographical arrangements, original databases
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	educational purpose of educational establishment
Condition of reproduction	no copying if "licencing scheme" ¹⁵⁵⁹ certified under s 173 are available authorizing copying and person making copies knows or ought to have been aware of licences ¹⁵⁶⁰
Frequency/copies and limits	not more than 5% by or on behalf of an

¹⁵⁵⁵ S 53(7).

¹⁵⁵⁶ S 53(6).

¹⁵⁵⁷ S 53(7).

¹⁵⁵⁸ S 2(1) (defining "reprographic process" as a process for making facsimile copies or involving the use of an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a film or sound recording).

¹⁵⁵⁹ Special provisions exist for dealing with licences for the making of reprographic copies of works by or on behalf of educational establishments. s 168 empowers the Minister to extend the application of a licence scheme or licence to works unreasonably excluded from the scheme or licence, s 171 empowers the Minister to evaluate or assess such schemes for educational establishments, and s 172 empowers the Minister to grant a statutory licence where the recommendation for the scheme is not implemented.

¹⁵⁶⁰ S 57(3).

	educational establishment in any calendar year any collective licence granted which is more restrictive than this provision is void ¹⁵⁶¹ reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁶²
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 54
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage of a literary, dramatic or musical work, original database, typographical arrangement which has been lawfully made available to the public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in an "educational establishment" ¹⁵⁶³ , or for use "in any advertisements issued by or on behalf of the publisher" [sic]
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement ¹⁵⁶⁴ consists mainly of material in which no copyright subsists work itself is not intended for use in such establishment
Frequency/copies and limits	no more than 2 excerpts from works by same author ¹⁵⁶⁵ are contained in collections by same publisher within 5 year period ¹⁵⁶⁶
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous, or author unascertainable after

¹⁵⁶¹ S 57(4).

¹⁵⁶² S 57(5).

¹⁵⁶³ S 2(1) (defining "educational establishment" as any school, university and any other educational establishment prescribed by the Minister).

¹⁵⁶⁴ S 54(1)(a)(ii) (reading "in any advertisements" to refer to its intended use in educational establishments).

¹⁵⁶⁵ S 54(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁵⁶⁶ S 54(2).

	reasonable inquiry for unpublished work) ¹⁵⁶⁷
Subject to Remuneration	not required ("shall not infringe the copyright")

6. School Performances

Provision	s 55(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	a teacher or student in the course of the activities of educational establishment, or any person at the educational establishment for purpose of instruction
Purpose of school performance	
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons "directly connected" ¹⁵⁶⁸ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a public performance for the purposes of infringement of copyright")

Provision	s 55(2)
Scope of school performance	playing or showing, at an educational establishment
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	purpose of instruction
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons "directly connected" ¹⁵⁶⁹ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a playing or showing of the work in public for the purposes of infringement of copyright")

Provision	ss 98, 247
Scope of school performance	play

¹⁵⁶⁷ Ss 53(2)(c), 51(3) (defining "sufficient acknowledgement").

¹⁵⁶⁸ S 55(3) ("[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.")

¹⁵⁶⁹ S 55(3) ("[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.")

Type(s) of source work(s)	a sound recording, ¹⁵⁷⁰ a sound recording of a performance ¹⁵⁷¹
Entity exercising school performance	
Purpose of school performance	as part of the private activities of or for the benefit of a club, society or other organisation
Condition of school performance	club, society or other organisation is not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare proceeds of any charge for admission to the place where the sound recording is to be heard are applied solely for the purposes of the club, society or other organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the copyright/[neighbouring rights]")

Provision	s 224(1)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	a teacher or student in the course of the activities of educational establishment, or any person for purpose of instruction
Purpose of school performance	
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons "directly connected" ¹⁵⁷² with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not a playing or showing of a performance or a recording in public for the purposes of infringement")

7. Educational Broadcasts/Communications/Recordings

Provision	s 56
Scope of	fixation, or copy of a fixation

¹⁵⁷⁰ S 98.

¹⁵⁷¹ S 247.

¹⁵⁷² S 224(2) ("[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.")

broadcast/communication/recording	
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	no recording if certified licensing scheme under s 173 provided for grant of licences
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁷³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing the copyright")

Provision	s 223(1)
Scope of broadcast/communication/recording	copying of a recording
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	by or on behalf of a person giving or receiving the instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 223(2)
Scope of broadcast/communication/recording	copying of a recording
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	setting the questions, communicating the questions to the candidates, or answering the questions in an examination
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁷⁴
Preclusions (not part of broadcast/communication/recording)	

¹⁵⁷³ S 56(3).

¹⁵⁷⁴ S 111223(3).

Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 225
Scope of broadcast/communication/recording	recording, or a copy of such a recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of educational establishment
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁷⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any of the [neighbouring] rights")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁵⁷⁵ S 225(2).

Israel

1. Legislation Reviewed

Copyright Act, 2007 (as amended on July 28, 2011)

Copyright Ordinance, 1924 (last amended on November 25, 2007)¹⁵⁷⁶

Copyright Regulations (Public Performance in Education Institutions), 5770-2010 (defining educational institution to permit public performance of work under s 29)

Copyright Regulations (Libraries and Archives), 5769-2008 (defining libraries and archives as referred to under s 30(a) and (b))

2. Private/Personal Use

Provision	s 19, Copyright Act
Scope of private/personal use	fair use
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	purposes such as private study, research
Condition of private/personal use	to determine if use made of a work is fair, factors to be considered shall include, inter alia, all of the following: (a) the purpose and character of the use; (b) the character of the work used; (c) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (d) the impact of the use on the value of the work and its potential market.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	unclear ¹⁵⁷⁷
Subject to Remuneration	not required

Provision	s 3C, Copyright Ordinance 1924
Scope of private/personal use	recording or copying ¹⁵⁷⁸ , on "recordable media" ¹⁵⁷⁹
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private and domestic, but not commercial uses
Condition of private/personal use	

¹⁵⁷⁶ Ss 3B-3E of the Copyright Ordinance 1924 have not been repealed by s 69, Copyright Act 2007, and are still in force.

¹⁵⁷⁷ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as fair use.

¹⁵⁷⁸ S 3B, Copyright Ordinance 1924 (defining "copying" as copying a recording or a substantial part of it).

¹⁵⁷⁹ S 3B, Copyright Ordinance 1924 (defining "recordable media" as a device on which there is no recording and on which an audio or video recording can be recorded, other than a device intended for use in a computer).

Frequency/copies and limits	
Preclusions (not part of private/personal use)	recording or copying on a “device intended for use in a computer” ¹⁵⁸⁰
Subject to Attribution	unclear ¹⁵⁸¹
Subject to Remuneration	Government to compensate copyright owners and owners of performers’ rights for loss of income and violation of rights caused, by recording and copying of cassettes, an amount equal to 5% of retail price of all cassettes sold in Israel for private and domestic use during the preceding year, to be divided equally between the royalty companies representing copyright owners, performers and producers of aural works/visual works ¹⁵⁸²

3. Quotations

Provision	s 19, Copyright Act
Scope of quotation	fair use
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	such as criticism, review, journalistic reporting, quotation
Condition of quotation	to take into account all factors to determine if use made of a work is fair, including: (a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Preclusions (not part of quotation)	
Subject to Attribution	unclear ¹⁵⁸³
Subject to Remuneration	not required

4. Research/Educational Reproduction

Provision	s 19, Copyright Act
Scope of research/educational reproduction	fair use
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	such as private study, research, instruction and examination by an educational institution
Condition of reproduction	to take into account all factors to determine if use made of a work is fair, including:

¹⁵⁸⁰ S 3B, Copyright Ordinance 1924 (defining “recordable media” as excluding a device intended for use in a computer).

¹⁵⁸¹ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as fair use.

¹⁵⁸² S 3D, Copyright Ordinance 1924.

¹⁵⁸³ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as fair use.

	(a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	unclear ¹⁵⁸⁴
Subject to Remuneration	not required

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 29, Copyright Act
Scope of school performance	public performance
Type(s) of source work(s)	a work
Entity exercising school performance	employees of the "educational institution" ¹⁵⁸⁵ , or by the students studying therein
Purpose of school performance	in the course of the educational activity of educational institutions, of the type prescribed by the Minister
Condition of school performance	audience limited to employees and students of the educational institution, the relatives of the students or other people directly connected with the activity of said institution, and to them alone
Preclusions (not part of school performance)	screening of cinematographic work is subject to provision below
Subject to Attribution	unclear ¹⁵⁸⁶
Subject to Remuneration	not required ("is permitted")

Provision	s 29, Copyright Act
Scope of school performance	screening
Type(s) of source work(s)	a cinematographic work
Entity exercising school performance	employees of the "educational institution" ¹⁵⁸⁷ , or by the students studying therein
Purpose of school performance	teaching and examination by an "educational institution" ¹⁵⁸⁸
Condition of school performance	audience limited to employees and students of

¹⁵⁸⁴ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as fair use.

¹⁵⁸⁵ Copyright Regulations (Public Performance in Educational Institutions), 5770-2010 (listing the types of educational institutions).

¹⁵⁸⁶ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as a permitted public performance.

¹⁵⁸⁷ Copyright Regulations (Public Performance in Educational Institutions), 5770-2010 (listing the types of educational institutions)..

¹⁵⁸⁸ Copyright Regulations (Public Performance in Educational Institutions), 5770-2010 (listing the types of educational institutions)..

	the educational institution, the relatives of the students or other people directly connected with the activity of said institution, and to them alone
Preclusions (not part of school performance)	
Subject to Attribution	unclear ¹⁵⁸⁹
Subject to Remuneration	not required ("is permitted")

7. Educational Broadcasts/Communications/Recordings

Provision	s 19, Copyright Act
Scope of broadcast/communication/recording	fair use [including broadcasts, communications, recordings]
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	such as research, instruction and examination by an educational institution
Condition of broadcast/communication/recording	to take into account all factors to determine if use made of a work is fair, including: (a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	unclear ¹⁵⁹⁰
Subject to Remuneration	not required

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

NA¹⁵⁹¹

¹⁵⁸⁹ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as a permitted public performance.

¹⁵⁹⁰ There are differing judicial opinions as to whether a failure to attribute the work will adversely impact the justification of such use as fair use.

¹⁵⁹¹ No protection granted to TPMs and RMIs, and so no exceptions are needed.

Italy

1. Legislation Reviewed

Law No. 633 of April 22, 1941, for the Protection of Copyright and Neighboring Rights (as amended up to Decree-law No. 64 of April 30, 2010)

Law No. 159 of May 22, 1993 (provisions on the improper reproduction of books and repealing the levy on well-known books referred to in articles 177, 178 and 179 and the last paragraph of article 172 of Law No. 633 of April 22, 1941)

2. Private/Personal Use

Provision	Art. 68.1
Scope of private/personal use	reproduction by hand or by means of reproduction
Type(s) of source work(s)	works or of portions of works, (subject matter of related rights) ¹⁵⁹²
Entity exercising private/personal use	
Purpose of private/personal use	personal use of the reader
Condition of private/personal use	unsuitable for marketing or disseminating the work in public any use in competition with the exploitation rights of the author is prohibited ¹⁵⁹³
Frequency/copies and limits	in a single copy copies made may not be sold
Preclusions (not part of private/personal use)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁵⁹⁴
Subject to Attribution	
Subject to Remuneration	not required ("shall be permitted")

Provision	Art. 68.3
Scope of private/personal use	reproduction (by photocopy, xerocopia or similar arrangements)
Type(s) of source work(s)	original works, (subject matter of related rights) ¹⁵⁹⁵
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	copies made may not be sold; any use in competition with the exploitation rights of the author is prohibited ¹⁵⁹⁶

¹⁵⁹² Art. 71-decies.1.

¹⁵⁹³ Art. 68.6.

¹⁵⁹⁴ Art. 71-nonies.1.

¹⁵⁹⁵ Art. 71-decies.1.

Frequency/copies and limits	within the limits of the fifteen percent of each book or journal issue, excluding advertising pages
Preclusions (not part of private/personal use)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁵⁹⁷
Subject to Attribution	
Subject to Remuneration	fee payable by managers of reproduction centres that make available photocopy or similar reproduction systems (the measure of compensation and mechanism of collection and distribution to be according to Art. 181ter), to publishers of published print works ¹⁵⁹⁸

Provision	Art. 71-sexies
Scope of private/personal use	reproduction
Type(s) of source work(s)	soundrecording and videograms on any medium, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁵⁹⁹
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	non-profit and not-for direct or indirect commercial scope respecting protection of technological measures reproduction cannot be carried out by third parties ¹⁶⁰⁰
Frequency/copies and limits	
Preclusions (not part of private/personal use)	playback of soundrecordings and videograms by an individual for personal use constitutes reproduction activity ¹⁶⁰¹ works or protected materials made available to the public so that everyone can access them from a place and at a time individually chosen, when the work is protected by technological measures or when access is allowed on the basis of contractual agreements ¹⁶⁰² reproduction of work/other subject matter must not be in conflict with the normal exploitation of

¹⁵⁹⁶ Art. 68.6.¹⁵⁹⁷ Art. 71-nonies.1.¹⁵⁹⁸ Art. 68.4.¹⁵⁹⁹ Art. 71-decies.1.¹⁶⁰⁰ Art. 71sexies.2.¹⁶⁰¹ Art. 71sexies.2.¹⁶⁰² Art. 71sexies.3.

	works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁶⁰³
Subject to Attribution	
Subject to Remuneration	not required ("It is allowed")

3. Quotations

Provision	Art. 70
Scope of quotation	abridgment, quotation or reproduction, and communication to the public
Type(s) of source work(s)	fragments or parts of a work, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁶⁰⁴
Entity exercising quotation	
Purpose of quotation	criticism or discussion
Condition of quotation	within the limits justified for such purposes provided that there is no competition with the economic exploitation of the work
Preclusions (not part of quotation)	abridgment, quotation or reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁶⁰⁵
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹⁶⁰⁶
Subject to Remuneration	not required ("are free")

4. Research/Educational Reproduction

Provision	Art. 70
Scope of research/educational reproduction	abridgment, quotation or reproduction, and communication to the public
Type(s) of source work(s)	fragments or parts of a work, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁶⁰⁷
Entity exercising reproduction	
Purpose of educational reproduction	teaching or scientific research
Condition of reproduction	use must also be for illustrative purposes and for non-commercial purposes
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	abridgment, quotation or reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other

¹⁶⁰³ Art. 71-nonies.1.

¹⁶⁰⁴ Art. 71-decies.1.

¹⁶⁰⁵ Art. 71-nonies.1.

¹⁶⁰⁶ Art. 70.3.

¹⁶⁰⁷ Art. 71-decies.1.

	subject matter, nor unreasonably prejudice the interests of owners ¹⁶⁰⁸
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹⁶⁰⁹
Subject to Remuneration	not required ("shall be permitted")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 70.2
Scope of anthologies/compilations limitation/exception	anthologies
Type(s) of source work(s)	works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁶¹⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	school use
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	reproduction shall not exceed the extent specified in the regulations
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁶¹¹
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹⁶¹²
Subject to Remuneration	equitable remuneration for such reproduction set out in regulations

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 70.1bis
Scope of broadcast/communication/recording	publication through the Internet
Type(s) of source work(s)	images and music at low resolution or degraded, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁶¹³

¹⁶⁰⁸ Art. 71-nonies.1.

¹⁶⁰⁹ Art. 70.3.

¹⁶¹⁰ Art. 71-decies.1.

¹⁶¹¹ Art. 71-nonies.1.

¹⁶¹² Art. 70.3.

¹⁶¹³ Art. 71-decies.1.

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific purposes
Condition of broadcast/communication/recording	not for profit
Frequency/limits of broadcast/communication/recording	limits to the use for educational or scientific purposes to be defined by Decree of the Minister for Culture and Heritage
Preclusions (not part of broadcast/communication/recording)	publication of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁶¹⁴
Subject to Attribution	title, author, publisher, translator (for translation) (if available) ¹⁶¹⁵
Subject to Remuneration	not required ("It is allowed")

Provision	Art. 71ter
Scope of broadcast/communication/recording	communicate or make available to identified individuals, on terminals having such a unique function within the premises of publicly accessible libraries, educational establishments, museums and the archives
Type(s) of source work(s)	works, (neighbouring rights: phonograms, cinematographic or audiovisual works, broadcasts, performances) ¹⁶¹⁶
Entity exercising broadcast/communication/recording	accessible libraries, educational establishments, museums and the archives
Purpose of broadcast/communication/recording	purpose of research or private study
Condition of broadcast/communication/recording	limited to works or other materials contained in their collections not subject to constraints arising from acts of sale or license
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	communication/making available of work/other subject matter must not be in conflict with the normal exploitation of works/other subject matter, nor unreasonably prejudice the interests of owners ¹⁶¹⁷
Subject to Attribution	
Subject to Remuneration	not required ("It is allowed")

¹⁶¹⁴ Art. 71-nonies.1.

¹⁶¹⁵ Art. 70.3 (assuming that publication through the Internet involves an abridgment, quotation or reproduction).

¹⁶¹⁶ Art. 71-decies.1.

¹⁶¹⁷ Art. 71-nonies.1.

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 71quinquies.2
Scope of TPM/RMI exception	rightholder who used technological measures in respect of his work to adopt appropriate solutions, including the conclusion of appropriate agreements with associations representing “beneficiaries” the benefit of certain exceptions
Type(s) of source work(s)	protected works or materials to which beneficiaries have legitimate access for their use, excluding works/materials made available to the public so that everyone can have access to it from the place or at the time chosen individually, when that access takes place on the basis of contractual agreements ¹⁶¹⁸
Beneficiary exercising exception	“beneficiaries”: users who reproduce work/materials for, <i>inter alia</i> , personal use (Art. 68), for criticism or discussion, teaching or scientific research (Art. 70.1)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	at express request of beneficiaries subject to payment of fair compensation whenever required

Provision	Art. 71sexies.4
Scope of TPM/RMI exception	rightholder who used technological measures in respect of his work/material to ensure that natural person as beneficiary can make a private copy for personal use
Type(s) of source work(s)	copy of protected works or materials to which beneficiary has acquired lawful possession or has legitimate access
Beneficiary exercising exception	“beneficiaries”: natural person
Purpose of exception	making a private copy, even analog, for personal use
Condition of exception	provided that this does not conflict with a normal exploitation of the work or other subject matter and do not unreasonably prejudice the rightholders

Note: Art. 69 (concerns lending by libraries).

¹⁶¹⁸ Art. 71quinquies.3.

Jamaica

1. Legislation Reviewed

Copyright Act - Act 5 of 1993

Copyright (Educational Establishments) Order, 1993 (defining an educational establishment as including institution providing tertiary education)

2. Private/Personal Use

Provision	ss 52, 54
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁶¹⁹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

3. Quotations

Provision	ss 53, 54
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work or of a performance of a work
Condition of quotation	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the

¹⁶¹⁹ S 54.

	work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁶²⁰
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless published anonymously or author's identity unascertainable by reasonable inquiry) ¹⁶²¹
Subject to Remuneration	not required ("does not infringe copyright")

Provision	ss 116, 54
Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another performance/recording or of a work
Condition of quotation	to determine if act done in relation to a work constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁶²²
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe any of the [neighbouring] rights")

4. Research/Educational Reproduction

Provision	s 56(1)
Scope of research/educational reproduction	copy (non-reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instructions
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶²³
Preclusions (not part of	

¹⁶²⁰ S 54.

¹⁶²¹ S 51.

¹⁶²² S 54.

¹⁶²³ S 60(1).

research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 56(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶²⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 59
Scope of research/educational reproduction	reprographic copies
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	made by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Condition of reproduction	no copying if, or to extent of, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ¹⁶²⁵ any collective licence more restrictive than this provision shall be of no effect ¹⁶²⁶
Frequency/copies and limits	not more than 5% of any work by or on behalf of an educational establishment in any quarter reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶²⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

¹⁶²⁴ S 60(1).

¹⁶²⁵ S 59(3).

¹⁶²⁶ S 59(4).

¹⁶²⁷ S 60(1).

Provision	s 118(1)
Scope of research/educational reproduction	copy
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	a person giving or receiving instructions
Purpose of educational reproduction	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶²⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage of a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists, work itself was not published for use of educational establishments
Frequency/copies and limits	no more than 2 excerpts from works by same author ¹⁶²⁹ are contained in collections by same publisher within 5 year period ¹⁶³⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous or author's identity unascertainable by reasonable inquiry) ¹⁶³¹
Subject to Remuneration	not required ("does not infringe copyright")

¹⁶²⁸ S 118(3).

¹⁶²⁹ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁶³⁰ S 57(2).

¹⁶³¹ S 51.

6. School Performances

Provision	ss 79, 123
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of the copyright/[neighbouring rights]")

7. Educational Broadcasts/Communications/Recordings

Provision	s 119
Scope of broadcast/communication/recording	recording, or a copy of such recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of educational establishment
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶³²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... infringing any of the [neighbouring] rights")

Provision	s 58
Scope of broadcast/communication/recording	a recording, or a copy of such a recording

¹⁶³² S 119(2).

Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of that establishment
Condition of broadcast/communication/recording	not applicable if or to the extent there is a s 102 certified licensing scheme applicable ¹⁶³³
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("infringing the copyright in the broadcast or cable programme or in any work included")

Provision	s 56(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶³⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 118(2)
Scope of broadcast/communication/recording	copying of a recording of, or anything done
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁶³⁵

¹⁶³³ S 58(2).

¹⁶³⁴ S 60(1).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁶³⁵ Sch. 2, para. 4(3S 60(1)).

Japan

1. Legislation Reviewed

Copyright Act (Act No. 48 of May 6, 1970, as last amended by Act No. 65 of December 3, 2010)

2. Private/Personal Use

Provision	Art. 30
Scope of private/personal use	reproduction (by user), translation, musical arrangement, transformation, and adaptation (by user) ¹⁶³⁶
Type(s) of source work(s)	a work forming the subject matter of copyright, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶³⁷
Entity exercising private/personal use	a user
Purpose of private/personal use	personal use, family use or other similar uses within a limited circle ("private use")
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	(i) reproduction made by means of automatic reproducing machines placed for use by the public; (ii) reproduction is knowingly made by circumvention of technological protection measures; (iii) infringing digital sound or visual recording is knowingly made upon reception of interactive transmission ¹⁶³⁸
Subject to Attribution	
Subject to Remuneration	a reasonable amount of compensation payable by maker of sound or visual recording (on digital recording medium specified by Cabinet Order by means of specified digital recording machine) ¹⁶³⁹ to copyright owners

3. Quotations

Provision	Art. 32(1)
Scope of quotation	quotations, translation of quotations ¹⁶⁴⁰
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶⁴¹ already made public

¹⁶³⁶ Art. 43(i).

¹⁶³⁷ Art. 102(1).

¹⁶³⁸ Art. 30(1)(i)-(iii).

¹⁶³⁹ Art. 30(2) (excluding a) machines having special efficiency generally not for private use but for business use, such as that for broadcasting, and b) machines having sound or visual recording functions incidental to the primary functions, such as telephones with sound recording function).

¹⁶⁴⁰ Art. 43(ii).

¹⁶⁴¹ Art. 102(1).

Entity exercising quotation	
Purpose of quotation	purposes such as criticism or research
Condition of quotation	making is compatible with fair practice extent does not exceed that justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁴²), author unless anonymous ¹⁶⁴³ (provided, in the case of neighbouring rights, that standard practice so requires,) ¹⁶⁴⁴
Subject to Remuneration	not required ("It shall be permissible")

4. Research/Educational Reproduction

Provision	Art. 35(1)
Scope of research/educational reproduction	reproduce, (translation, musical arrangement, transformation, and adaptation) ¹⁶⁴⁵
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶⁴⁶ already made public
Entity exercising reproduction	a person in charge of teaching and those who are taught in a school or other educational institutions (except those institutions established for profit-making)
Purpose of educational reproduction	if necessary for the purpose of use in the course of lessons
Condition of reproduction	
Frequency/copies and limits	to the extent deemed necessary for the purpose of use in the course of lessons
Preclusions (not part of research/educational reproduction)	reproduction does not unreasonably prejudice the interests of the copyright owner in the light of the nature and the purpose of the work as well as the number of copies and the form of reproduction
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁴⁷), author unless anonymous ¹⁶⁴⁸
Subject to Remuneration	not required ("may reproduce a work")

Provision	Art. 36
Scope of research/educational reproduction	reproduce

¹⁶⁴² Art. 48(1)(i).

¹⁶⁴³ Art. 48(2).

¹⁶⁴⁴ Art. 102(2).

¹⁶⁴⁵ Art. 43(i).

¹⁶⁴⁶ Art. 102(1).

¹⁶⁴⁷ Art. 48(1)(iii).

¹⁶⁴⁸ Art. 48(2).

Type(s) of source work(s)	a work, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶⁴⁹ already made public
Entity exercising reproduction	
Purpose of educational reproduction	as questions for an entrance examination or other examinations of knowledge or skill, or such examination for a license
Condition of reproduction	
Frequency/copies and limits	to the extent deemed necessary for such purpose;
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁵⁰), author unless anonymous ¹⁶⁵¹
Subject to Remuneration	person who makes such reproduction for profit-making purposes shall pay compensation (the amount of which corresponds to an ordinary rate of royalty) to the copyright owner ¹⁶⁵² otherwise: not required ("to the copyright owner")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 33
Scope of anthologies/compilations limitation/exception	reproduce, in "school textbooks" ¹⁶⁵³ and testbooks intended for correspondence courses of senior high school education, guidance books of school textbooks intended for teachers, ¹⁶⁵⁴ (translation, musical arrangement, transformation, and adaptation of reproduction) ¹⁶⁵⁵
Type(s) of source work(s)	works already made public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	purpose of school education
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to extent deemed necessary
Preclusions (not part of anthologies/compilations)	

¹⁶⁴⁹ Art. 102(1).

¹⁶⁵⁰ Art. 48(1)(iii).

¹⁶⁵¹ Art. 48(2).

¹⁶⁵² Art. 36(2).

¹⁶⁵³ Art. 33(1) (defining "school textbooks" as textbooks authorized by the Minister of Education and Science or those compiled under the authorship of the Ministry of Education and Science to be used for the education of children or pupils in primary schools, junior or senior high schools or other similar schools; the same shall apply hereinafter).

¹⁶⁵⁴ Art. 33(4).

¹⁶⁵⁵ Art. 43(i).

limitation/exception)	
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁵⁶), author unless anonymous ¹⁶⁵⁷
Subject to Remuneration	person who makes reproduction shall inform author and pay amount fixed by Commissioner of Agency for Cultural Affairs (taking into account purpose of provision, nature and purpose of work, ordinary rate of royalty and other conditions) to copyright owner compensation

6. School Performances

Provision	Art. 38(1)
Scope of school performance	publicly perform, present and recite, to audience or spectators
Type(s) of source work(s)	a work already made public
Entity exercising school performance	
Purpose of school performance	for non-profit-making purposes
Condition of school performance	without charging any fees performers or reciters are not paid any remuneration for such performance, presentation or recitation
Preclusions (not part of school performance)	
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁵⁸), author unless anonymous ¹⁶⁵⁹
Subject to Remuneration	not required ("It shall be permissible")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 34
Scope of broadcast/communication/recording	broadcast or diffuse by wire, in broadcasting programs or wire diffusion programs which conform to the curriculum standards provided for in regulations on school education, or make interactive transmission of such work simultaneously upon receiving such broadcasts, exclusively for purpose of reception within service areas intended for by such broadcasting, (translation, musical arrangement,

¹⁶⁵⁶ Art. 48(1)(i).

¹⁶⁵⁷ Art. 48(2).

¹⁶⁵⁸ Art. 48(1)(iii).

¹⁶⁵⁹ Art. 48(2).

	transformation, and adaptation of broadcast/diffusion/interactive transmission) ¹⁶⁶⁰
Type(s) of source work(s)	a work already made public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purpose of school education
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to extent deemed necessary for purpose of school education
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁶¹), author unless anonymous ¹⁶⁶²
Subject to Remuneration	person to makes such exploitation to inform author and pay a reasonable amount of compensation to copyright owner ¹⁶⁶³

Provision	Art. 35(2)
Scope of broadcast/communication/recording	public transmission (including the making transmittable in the case of interactive transmission), (translation, musical arrangement, transformation, and adaptation of public transmission) ¹⁶⁶⁴
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶⁶⁵ offered or made public to those who take lessons directly I the course of lessons in educational institutions in Art. 35(1), or exploitation of a work already made public by publicly performing, presenting or reciting it in accordance with Art. 38(1)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	[instructional purposes]
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	reception by those who take lessons at the same time at a place other than that where such lessons are given
Preclusions (not part of broadcast/communication/recording)	such transmission does not unreasonably prejudice the interests of copyright owner in the

¹⁶⁶⁰ Art. 43(i).

¹⁶⁶¹ Art. 48(1)(ii).

¹⁶⁶² Art. 48(2).

¹⁶⁶³ Art. 34(2).

¹⁶⁶⁴ Art. 43(i).

¹⁶⁶⁵ Art. 102(1).

	light of the nature and purpose of the work as well as form of transmission
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁶⁶), author unless anonymous ¹⁶⁶⁷
Subject to Remuneration	not required ("it shall be permissible")

Provision	Art. 36
Scope of broadcast/communication/recording	make the public transmission (excluding the broadcasting or wire diffusion, and including the making transmittable in the case of the interactive transmission), translation of public transmission ¹⁶⁶⁸
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast, wire diffusion which is subject matter of neighbouring rights) ¹⁶⁶⁹ already made public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as questions for an entrance examination or other examinations of knowledge or skill, or such examination for a license
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent deemed necessary for such purpose
Preclusions (not part of broadcast/communication/recording)	such transmission does not unreasonably prejudice the interests of the copyright owner in the light of the nature and the purpose of the work as well as the form of the transmission
Subject to Attribution	source (must be clearly indicated in manner and to extent deemed reasonable ¹⁶⁷⁰), author unless anonymous ¹⁶⁷¹
Subject to Remuneration	person who makes such public transmission for profit-making purposes shall pay to the copyright owner compensation the amount of which corresponds to an ordinary rate of royalty ¹⁶⁷² otherwise: not required ("It shall be permissible")

¹⁶⁶⁶ Art. 48(1)(iii).

¹⁶⁶⁷ Art. 48(2).

¹⁶⁶⁸ Art. 43(ii).

¹⁶⁶⁹ Art. 102(1).

¹⁶⁷⁰ Art. 48(1)(iii).

¹⁶⁷¹ Art. 48(2).

¹⁶⁷² Art. 36(2).

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Notes: Art. 33bis (reproduction for preparing a textbook in large print), Art. 36(5) (distribute a cinematographic work by audiovisual establishments for the aurally handicapped etc)

Jordan

1. Legislation Reviewed

Law No. 22 of 1992 on Copyright and its Amendments up to 2005

2. Private/Personal Use

Provision	Art. 17(a)
Scope of private/personal use	presenting, exhibiting, accounting, performing or musically playing
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private family meeting
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without the author's permission")

Provision	Art. 17(b)
Scope of private/personal use	use by reproduction, recording, photographing, translation or musical distribution
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private personal use
Condition of private/personal use	
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	"does not conflict with normal exploitation of the work and does not cause unjustified injury to the legitimate interests of the author"
Subject to Attribution	
Subject to Remuneration	not required ("without the author's permission")

3. Quotations

Provision	Art 17(d)
Scope of quotation	quoting paragraphs, in another work
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	illustration, discussion, criticism, culturing or examination
Condition of quotation	within limits which justify this purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without the author's permission")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17(c)
Scope of anthologies/compilations limitation/exception	illustration through publications
Type(s) of source work(s)	a work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational, cultural, religious or vocational purposes
Condition of anthologies/compilations limitation/exception	within the parameters necessary for achieving these purposes "relying on this work in this case does not aim to achieve any financial gain"
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	"does not conflict with the regular exploitation of the work"
Subject to Attribution	title, author
Subject to Remuneration	not required ("without the author's permission")

6. School Performances

Provision	Art. 17(a)
Scope of school performance	presenting, exhibiting, accounting, performing or musically playing
Type(s) of source work(s)	a work
Entity exercising school performance	
Purpose of school performance	in an educational, cultural or social institute by way of illustration for educational purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without the author's permission")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 17(c)
Scope of broadcast/communication/recording	illustration through programs and sound, audio and visual recordings
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational, cultural, religious or vocational purposes
Condition of broadcast/communication/recording	"relying on this work in this case does not aim to achieve any financial gain"
Frequency/limits of broadcast/communication/recording	within the parameters necessary for achieving these purposes

Preclusions (not part of broadcast/communication/recording)	“does not conflict with the regular exploitation of the work”
Subject to Attribution	title, author
Subject to Remuneration	not required ("without the author's permission")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Kazakhstan

1. Legislation Reviewed

Law on Copyright and The Related Rights dated 10 June 1996 No. 6

2. Private/Personal Use

Provision	Art. 18
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully disclosed work
Entity exercising private/personal use	an individual
Purpose of private/personal use	personal purposes
Condition of private/personal use	reproduction for non-commercial purposes ("without income")
Frequency/copies and limits	of one copy
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and similar structures, reprographic reproduction of whole of book or musical scores, whole or substantial part of a database, computer program ¹⁶⁷³
Subject to Attribution	
Subject to Remuneration	not required ("without payment of an author's remuneration")

Provision	Arts. 26, 41.1(4)
Scope of private/personal use	reproduction
Type(s) of source work(s)	audio-visual work, audio-recording of work (phonogram) performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction
Entity exercising private/personal use	
Purpose of private/personal use	private purposes
Condition of private/personal use	reproduction for non-commercial purposes ("without earning income")
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration paid by producer or importer of "equipment and material carriers" ¹⁶⁷⁴ used for such reproduction, the amount and terms of payment to be concluded between

¹⁶⁷³ Art. 24 (excepting use of the computer program, backup/archival purposes and for interoperability).

¹⁶⁷⁴ Art. 26.6 (excluding equipment and material carriers which are the subject of export as well as professional equipment not intended for home use).

	manufacturers/importers and collecting societies, to be collected and distributed by collecting societies, for authors (40%), performers (30%), producers of audiovisual works and phonograms (30%) (unless agreement between collecting societies provides otherwise) ¹⁶⁷⁵
Provision	Arts. 41.2
Scope of private/personal use	use of (a) reproduction of (b)
Type(s) of source work(s)	(a) program of on-air or cable broadcasting organization (b) phonograms
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes only
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	reproduction of phonograms: remuneration paid by producer or importer of equipment and material carriers used for such reproduction, the amount and terms of payment to be concluded between manufacturers/importers and collecting societies, to be collected and distributed by collecting societies, for authors (40%), performers (30%), producers of audiovisual works and phonograms (30%) (unless agreement between collecting societies provides otherwise) others: not required ("allowed without the consent")

3. Quotations

Provision	Arts. 19(1), 41.1(4)
Scope of quotation	quotation in the original or in translation
Type(s) of source work(s)	lawfully published works in the volume needed for the quotation, including reproduction of extracts from newspaper and magazine articles in press reviews performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction
Entity exercising quotation	
Purpose of quotation	for debate, criticism ¹⁶⁷⁶

¹⁶⁷⁵ Art. 26.2-26.5.

¹⁶⁷⁶ Art. 41.1(3) (referring to quotation for "informational purposes", which are outside the ambit of this study; and therefore Art. 19.1, which refers to "debate, criticism" will be "other cases" stipulated by Arts. 18-26).

Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of an author's remuneration"/"without remuneration")

Provision	Art. 19(1)
Scope of quotation	quotation in the original or in translation
Type(s) of source work(s)	lawfully published works in the volume needed for the quotation, including reproduction of extracts from newspaper and magazine articles in press reviews
Entity exercising quotation	
Purpose of quotation	for scientific, research purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of an author's remuneration")

Provision	Art. 41.1(1)
Scope of quotation	use
Type(s) of source work(s)	performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction
Entity exercising quotation	
Purpose of quotation	for inclusion of short extracts from [source works] in the review about the current events
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without remuneration")

4. Research/Educational Reproduction

Provision	Art. 20.3
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	individual articles or succinct works, lawfully published in collections, newspapers and other periodicals, short extracts from lawfully published written works (with or without illustrations)
Entity exercising reproduction	education organizations
Purpose of educational reproduction	for use in classes
Condition of reproduction	without gaining income
Frequency/copies and limits	one copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of an author's

	remuneration")
Provision	Art. 41.1(2)
Scope of research/educational reproduction	use
Type(s) of source work(s)	performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction
Entity exercising reproduction	
Purpose of educational reproduction	teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Arts. 19(2), 41.1(4)
Scope of anthologies/compilations limitation/exception	use in publications
Type(s) of source work(s)	lawfully disclosed works and extracts from them performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction ¹⁶⁷⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as illustrations
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of an author's remuneration"/"without remuneration")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 19(2)
Scope of broadcast/communication/recording	use in radio and television broadcasts, audio and video educational recordings
Type(s) of source work(s)	lawfully disclosed works and extracts from them

¹⁶⁷⁷ Art. 41.1(4) ("in other cases stipulated by Arts. 18-26, in relation to restriction of property rights of the author of works of science, literature and art").

	performance, production, program of on-air or cable broadcasting organization, their records and phonogram reproduction ¹⁶⁷⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as illustrations
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of an author's remuneration")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁶⁷⁸ Art. 41.1(4) ("in other cases stipulated by Arts. 18-26, in relation to restriction of property rights of the author of works of science, literature and art").

Kenya

1. Legislation Reviewed

Chapter 130 - The Copyright Act 2001

2. Private/Personal Use

Provision	s 26(1)(a)
Scope of private/personal use	doing of those acts by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ¹⁶⁷⁹ , (a broadcast) ¹⁶⁸⁰
Entity exercising private/personal use	
Purpose of private/personal use	scientific research, private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	not a computer program ¹⁶⁸¹
Subject to Attribution	source
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

Provision	s 28(3)
Scope of private/personal use	making
Type(s) of source work(s)	sound recording
Entity exercising private/personal use	a person
Purpose of private/personal use	personal and private use of person making the copy
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	not required
Subject to Remuneration	fair compensation consisting of levy on audio recording equipment or audio blank tape suitable for recording and other recording media, payable by manufacturer/importer ¹⁶⁸² to CMOs, ¹⁶⁸³ to be received by copyright owner of sound recording

3. Quotations

Provision	s 26(1)(a)
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¹⁶⁷⁹ S 28(2).¹⁶⁸⁰ S 29(a).¹⁶⁸¹ S 26(3). However, a person in lawful possession of a computer program may make copies of the programme to correct errors, to make backup copies, for testing to determine its suitability for use, and for any purpose not prohibited under any licence or agreement. s 26(4).¹⁶⁸² S 28(3), (4) (providing that the royalty payable shall be agreed between organizations representing producers of sound recordings and manufacturers/importers, failing which the competent authority will set the royalty).¹⁶⁸³ S 28(5) (prescribing an organization representative of producers of sound recordings).

Scope of quotation	doing of those acts by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ¹⁶⁸⁴ , (a broadcast) ¹⁶⁸⁵
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	not a computer program ¹⁶⁸⁶
Subject to Attribution	source
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

4. Research/Educational Reproduction

Provision	s 26(1)(a)
Scope of research/educational reproduction	doing of those acts by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ¹⁶⁸⁷ , (a broadcast) ¹⁶⁸⁸
Entity exercising reproduction	
Purpose of educational reproduction	scientific research
Condition of reproduction	
Frequency/copies and limits	not a computer program ¹⁶⁸⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

Provision	s 26(1)(f)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a broadcast, (a sound recording) ¹⁶⁹⁰ , (a broadcast) ¹⁶⁹¹
Entity exercising reproduction	intended for purposes of systematic instructional activities
Purpose of educational reproduction	use of that reproduction in a school registered under the Education Act or any university established by or under any written law for the systematic instructional activities of any such school or university

¹⁶⁸⁴ S 28(2).

¹⁶⁸⁵ S 29(a).

¹⁶⁸⁶ S 26(3). However, a person in lawful possession of a computer program may make copies of the programme to correct errors, to make backup copies, for testing to determine its suitability for use, and for any purpose not prohibited under any licence or agreement. s 26(4).

¹⁶⁸⁷ S 28(2).

¹⁶⁸⁸ S 29(a).

¹⁶⁸⁹ S 26(3). However, a person in lawful possession of a computer program may make copies of the programme to correct errors, to make backup copies, for testing to determine its suitability for use, and for any purpose not prohibited under any licence or agreement. s 26(4).

¹⁶⁹⁰ S 28(2).

¹⁶⁹¹ S 29(a).

Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 26(1)(d)
Scope of anthologies/compilations limitation/exception	inclusion in a collection
Type(s) of source work(s)	literary or musical works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is designed for use in a school registered under the Education Act or any university established by or under any written law
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	not more than 2 short passages from each work
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

6. School Performances

Provision	s 26(1)(a)
Scope of school performance	doing of those acts ¹⁶⁹² by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ¹⁶⁹³ , (a broadcast) ¹⁶⁹⁴
Entity exercising school performance	
Purpose of school performance	scientific research
Condition of school performance	
Preclusions (not part of school performance)	not a computer program ¹⁶⁹⁵
Subject to Attribution	source
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

¹⁶⁹² S 26(1) (describing the acts as including, inter alia, "communication to the public", which is in turn defined to mean "a live performance" or "a transmission to the public, other than a broadcast, of the images or sounds or both, of a work, performance or sound recording" – s 2(1)).

¹⁶⁹³ S 28(2).

¹⁶⁹⁴ S 29(a).

¹⁶⁹⁵ S 26(3). However, a person in lawful possession of a computer program may make copies of the programme to correct errors, to make backup copies, for testing to determine its suitability for use, and for any purpose not prohibited under any licence or agreement. s 26(4).

7. Educational Broadcasts/Communications/Recordings

Provision	s 26(1)(e)
Scope of broadcast/communication/recording	broadcasting
Type(s) of source work(s)	a work, (a broadcast) ¹⁶⁹⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcast intended to be used for systematic instructional activities
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright in any such work shall not include the right to control")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁶⁹⁶ S 29(a).

Kiribati

1. Legislation Reviewed

Copyright Ordinance (Cap 16) (adopting the application of parts of UK Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)¹⁶⁹⁷, but excluding s 22¹⁶⁹⁸)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹⁶⁹⁹ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("No fair dealing ... shall constitute an infringement of the copyright")

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹⁷⁰⁰ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ¹⁷⁰¹
Subject to Remuneration	not required ("No fair dealing ... shall constitute an infringement of the copyright")

¹⁶⁹⁷ s 15, Western Pacific (Courts) Order in Council, 1961 states that "statutes of general application in force in England on the 1st day of January, 1961 ... shall be in force [but] so far only as the circumstances of any particular territory and its inhabitants and the limits of Her Majesty's jurisdiction permit and subject to such qualifications as local circumstances render necessary". This rendered applicable in Kiribati the U.K. Copyright Act 1956. Article 5(1) of the Kiribati Independence Order provides that existing laws and Acts of the Parliament of the U.K. or Order of Her Majesty in Council, having effect as part of the law of Kiribati immediately before independence day, shall continue in force and be construed with such conforming modifications. With the enactment of the Kiribati Copyright Ordinance (Chapter 16, Revised Edition 1980), which came into force on 13 June 1917, the U.K. Copyright Act 1956, which continues to apply in Kiribati, will be construed with the Kiribati Copyright Ordinance.

¹⁶⁹⁸ S 5, Copyright Ordinance (Cap 16) (stating that s 22, U.K. Copyright Act 1956 does not apply as the law of Kiribati).

¹⁶⁹⁹ S 6(8).

¹⁷⁰⁰ S 6(8).

¹⁷⁰¹ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

4. Research/Educational Reproduction

Provision	s 41(1)(a)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a “duplicating process” ¹⁷⁰²) or making of an adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ¹⁷⁰³ or elsewhere
Condition of reproduction	reproduction or adaptation shall not be published ¹⁷⁰⁴
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright shall not be taken to be infringed”)

Provision	s 41(1)(b)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Condition of reproduction	reproduction or adaptation shall not be published ¹⁷⁰⁵
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright shall not be taken to be infringed”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion in a collection
Type(s) of source work(s)	a short passage of a published literary or

¹⁷⁰² S 41(7) (defining “duplicating process” as any process involving the use of an appliance for producing multiple copies).

¹⁷⁰³ S 41(7) (defining “school” as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

¹⁷⁰⁴ S 41(2).

¹⁷⁰⁵ S 41(2).

	dramatic work, (or its adaptation) ¹⁷⁰⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement [source] work was not published for use of schools collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	not applicable if, in addition to passage in question, 2 or more excerpts from works by same author ¹⁷⁰⁷ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ¹⁷⁰⁸
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ¹⁷⁰⁹
Subject to Remuneration	not required ("copyright ... is not infringed")

6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not constitute an infringement of the copyright")

¹⁷⁰⁶ S 6(8).

¹⁷⁰⁷ S 6(6) proviso (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁷⁰⁸ S 6(6).

¹⁷⁰⁹ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

Provision	s 41(3)
Scope of school performance	performance [of a work]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ¹⁷¹⁰
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or pupils in attendance at, the school, or are otherwise "directly connected" ¹⁷¹¹ with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("performance shall not be taken ... to be a performance in public")

7. Educational Broadcasts/Communications/Recordings

Provision	s 41(5)
Scope of broadcast/communication/recording	causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising broadcast/communication/recording	by a person who is a teacher in, or a pupil in attendance at, the school ¹⁷¹²
Purpose of broadcast/communication/recording	in the course of the activities of a school
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	causing sounds or visual images to be heard or seen in class, or otherwise in the presence of an audience audience is limited to persons who are teachers

¹⁷¹⁰ S 41(7) (defining "school" as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

¹⁷¹¹ S 41(4) (defining "directly connected" as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

¹⁷¹² S 41(7) (defining "school" as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

	in, or pupils in attendance at, the school, or are otherwise “directly connected” ¹⁷¹³ with the activities of the school
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“performance shall not be taken ... to be a performance in public”)

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁷¹³ S 41(4) (defining “directly connected” as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

Kuwait

1. Legislation Reviewed

Law No. 64 of 1999 concerning Intellectual Property Rights including Explanatory Memorandum

Law No. 5 of 1999 on Intellectual Property Rights

2. Private/Personal Use

Provision	Art. 7
Scope of private/personal use	presentation or performance
Type(s) of source work(s)	a published literary work
Entity exercising private/personal use	
Purpose of private/personal use	private meeting
Condition of private/personal use	no financial outcome directly or indirectly
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent")

Provision	Art. 8
Scope of private/personal use	reproduction, modification, quotation or translation
Type(s) of source work(s)	a published literary work
Entity exercising private/personal use	
Purpose of private/personal use	for his own personal purposes
Condition of private/personal use	reproduction, modification or translation may not be published without permission from owner and author
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent")

3. Quotations

Provision	Art. 9
Scope of quotation	analysis and short quotations
Type(s) of source work(s)	a published literary work
Entity exercising quotation	
Purpose of quotation	criticism, enlightenment, study or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("author may not prohibit")

4. Research/Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 16
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation into Arabic and publication
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	literary work in a foreign language
Licence applicant/entity	
Purpose of licence	
Condition of licence	work has not been previously translated into Arabic and published within 1 year from first publication of the original or translation ¹⁷¹⁴
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair compensation to author or owner of translation rights
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister of Information

9. TPM/RMI Exceptions for Educational Purposes

¹⁷¹⁴ Art. 16 also provides that if the translation right is not exercised within 5 years from date of first publication of the original or translated literary work, the translation right “shall expire”.

Kyrgyzstan

1. Legislation Reviewed

Law of the Kyrgyz Republic on Copyright and Related Rights (as amended up to Law No. 14 of January 21, 2014)

2. Private/Personal Use

Provision	Art. 26
Scope of private/personal use	reproduction
Type(s) of source work(s)	audiovisual works and phonograms
Entity exercising private/personal use	
Purpose of private/personal use	solely for personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration payable by manufacturers or importers of equipment (audio and video recorders, other equipment) and recording media (audio and (or) videotapes and cassettes, laser discs, compact discs and other material carriers) ¹⁷¹⁵ used for such reproduction to CMO, to be distributed among authors, performers and producers of phonograms ¹⁷¹⁶

3. Quotations

Provision	Art. 19.1(1)
Scope of quotation	quotation, in the original language or in translation
Type(s) of source work(s)	lawfully published works, including reproduction of extracts from newspaper and magazine articles in press reviews
Entity exercising quotation	
Purpose of quotation	for research, polemic, critical and informational purposes
Condition of quotation	to the extent justified by the purpose of the quotation
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

¹⁷¹⁵ Art. 26(3) (providing that no remuneration shall be payable for equipment and recording media that are exported, professional equipment and equipment not intended for domestic use).

¹⁷¹⁶ Art. 26(2) (providing that unless an agreement with the rightholders provides otherwise, the remuneration shall be authors (40%), performers (30%), producers of phonograms (30%)).

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 19.1(2)
Scope of anthologies/compilations limitation/exception	use, as illustration, in publications of an educational character
Type(s) of source work(s)	lawfully disclosed works and their excerpts
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the educational purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 19.1(2)
Scope of broadcast/communication/recording	use, as illustration, in radio and television broadcasts, and sound and video recordings of an educational character
Type(s) of source work(s)	lawfully disclosed works and their excerpts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the educational purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Lao People's Democratic Republic

1. Legislation Reviewed

Law No. 01/NA of December 20, 2011, on Intellectual Property (as amended)

2. Private/Personal Use

3. Quotations

Provision	Art. 111.1.1
Scope of quotation	making quotations
Type(s) of source work(s)	a work which has already been lawfully made available to the public, including newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ¹⁷¹⁷
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	making is compatible with fair use, and their extent does not exceed that justified by the purpose
Preclusions (not part of quotation)	does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information “acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author”
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without remuneration")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 111.1.2
Scope of anthologies/compilations limitation/exception	utilization, by way of illustration in publications
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ¹⁷¹⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations	for teaching

¹⁷¹⁷ Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

¹⁷¹⁸ Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

limitation/exception	
Condition of anthologies/compilations limitation/exception	does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information utilization is compatible with fair practice
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	“acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author”
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without remuneration")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 111.1.2
Scope of broadcast/communication/recording	utilization, by way of illustration in broadcasts or sound or visual recordings
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ¹⁷¹⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	utilization is compatible with fair practice
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information “acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author”
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁷¹⁹ Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

Latvia

1. Legislation Reviewed

Copyright Law (as last amended on April 18, 2013)

2. Private/Personal Use

Provision	ss 34, 54(5)
Scope of private/personal use	reproduction (including in a digital format)
Type(s) of source work(s)	works that have been included in lawfully acquired films or phonograms or in other form of expression that is to be protected, as well as visual works, (lawfully acquired films or phonograms as well as related rights objects included in a lawfully acquired film or phonogram) ¹⁷²⁰
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for personal use
Condition of private/personal use	without direct or indirect commercial purpose third persons shall not be involved in the production of such copy
Frequency/copies and limits	in one copy
Preclusions (not part of private/personal use)	restriction on economic rights of author/related rightholders to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author/related rights object and not unjustifiably limit the lawful interests of the author/related rightholders ¹⁷²¹
Subject to Attribution	
Subject to Remuneration	blank tape levy by way of payment by manufacturers/importers/sellers ¹⁷²² of equipment used in such reproduction and blank recording media (audio recording cassettes, videotapes or video cassettes, laser discs, compact discs, minidisks and the like), ¹⁷²³ and received by CMOs, to be distributed to authors, performers, phonogram and film producers ¹⁷²⁴

Provision	s 35
Scope of private/personal use	reprographically reproduce
Type(s) of source work(s)	published works
Entity exercising private/personal use	natural persons, or persons who have in their

¹⁷²⁰ s 54(5).¹⁷²¹ ss 18(2), 54(2).¹⁷²² s 34(5)-(6) (providing that sellers who are unable to prove that the blank tape levy has been paid are obliged to pay such levy, and may bring a subrogation action against the manufacturer/importer).¹⁷²³ s 34(3) (excluding equipment and media imported for professional use by broadcasting organizations or for reproduction of works for commercial purposes, or the importation by natural personal for non-commercial purposes).¹⁷²⁴ ss 34(7), 54(5).

	ownership or possession reprographic reproduction equipment and who ensure the availability of such reproduction to natural persons for a fee or free of charge
Purpose of private/personal use	for personal use
Condition of private/personal use	without direct or indirect commercial purpose
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	sheet music restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷²⁵
Subject to Attribution	
Subject to Remuneration	compensation by way of payment by persons who own or possess reproduction reproduction equipment and who make such equipment available to natural persons for a fee or free of charge, ¹⁷²⁶ and received by the author's CMO, ¹⁷²⁷ distributed to authors and publishers ¹⁷²⁸

3. Quotations

Provision	s 20.(1).1
Scope of quotation	reproduction in the form of quotations and fragments
Type(s) of source work(s)	works communicated to the public
Entity exercising quotation	
Purpose of quotation	for scientific, research, polemical, critical purposes
Condition of quotation	to the extent justified by the purpose
Preclusions (not part of quotation)	computer programs restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷²⁹
Subject to Attribution	title, author
Subject to Remuneration	not required ("it is permitted")

4. Research/Educational Reproduction

¹⁷²⁵ s 18(2).

¹⁷²⁶ s 35(2).

¹⁷²⁷ s 35(3), (5).

¹⁷²⁸ s 35(5), (6) (providing additionally the criteria for the distribution).

¹⁷²⁹ s 18(2).

Provision	s 21
Scope of research/educational reproduction	use in audio-visual works, in visual aids and the like which are specially created and used in the face-to-face teaching and research process
Type(s) of source work(s)	communicated or published works or fragments of them, (related rights object – performances, phonograms, films, broadcasts) ¹⁷³⁰
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	in educational and research institutions non-commercial purposes
Frequency/copies and limits	extent justified by the purpose of their activity
Preclusions (not part of research/educational reproduction)	restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷³¹
Subject to Attribution	title, author
Subject to Remuneration	not required ("it is permitted")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 21
Scope of anthologies/compilations limitation/exception	use in textbooks which are in conformity with educational standards
Type(s) of source work(s)	communicated or published works or fragments of them, (related rights object – performances, phonograms, films, broadcasts) ¹⁷³²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	in educational and research institutions non-commercial purposes
Frequency/copies and limits	extent justified by the purpose of their activity
Preclusions (not part of anthologies/compilations limitation/exception)	restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷³³
Subject to Attribution	title, author
Subject to Remuneration	not required ("it is permitted")

¹⁷³⁰ s 54(3).2. "Related rights objects" are defined in s 47(2).

¹⁷³¹ s 18(2).

¹⁷³² s 54(3).2. "Related rights objects" are defined in s 47(2).

¹⁷³³ s 18(2).

6. School Performances

Provision	s 26.2
Scope of school performance	perform in public
Type(s) of source work(s)	a work, (a related rights object – performance, phonogram, film, broadcast) ¹⁷³⁴
Entity exercising school performance	
Purpose of school performance	within the framework of the implementation of an educational programme
Condition of school performance	to an extent that corresponds to the teaching process and for non-commercial purposes an audience consisting of only the teachers, students or persons directly associated with the implementation of the relevant educational programme
Preclusions (not part of school performance)	restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷³⁵
Subject to Attribution	title, author
Subject to Remuneration	not required ("without the payment of royalties")

7. Educational Broadcasts/Communications/Recordings

Provision	s 21
Scope of broadcast/communication/recording	use in radio and television broadcasts
Type(s) of source work(s)	communicated or published works or fragments of them, (related rights object – performances, phonograms, films, broadcasts) ¹⁷³⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	which are specially created and used in the face-to-face teaching and research process
Condition of broadcast/communication/recording	in educational and research institutions non-commercial purposes
Frequency/limits of broadcast/communication/recording	extent justified by the purpose of their activity
Preclusions (not part of broadcast/communication/recording)	restriction on economic rights of author to be applied in such a way that it is not contrary to the provisions for normal use of the work of an author and not unjustifiably limit the lawful interests of the author ¹⁷³⁷

¹⁷³⁴ s 54(3).2. "Related rights objects" are defined in s 47(2).¹⁷³⁵ s 18(2).¹⁷³⁶ s 54(3).2. "Related rights objects" are defined in s 47(2).¹⁷³⁷ s 18(2).

Subject to Attribution	title, author
Subject to Remuneration	not required ("it is permitted")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	ss 18(4), 54(6)
Scope of TPM/RMI exception	require author/related rightsholder who used effective technological measures in respect of his work to give access to such works to beneficiary, failing which author and beneficiary mediate ¹⁷³⁸
Type(s) of source work(s)	work/related rights object
Beneficiary exercising exception	user who has right to use the work/related rights object [sic] ¹⁷³⁹ in cases specified, <i>inter alia</i> , in s 20(1) cl. 1 (quotations) and s 21 (educational and research reproduction and broadcasts)
Purpose of exception	to give beneficiaries, who would otherwise be unable to implement rights to use the work/related rights object as statutorily specified, legal access to work/related rights object
Condition of exception	refusal to give such access if use of work/related rights object is contrary to provisions for normal use of the work/related rights object of an author/related rightsholder and may unjustifiably limit the lawful interests of the author/related rightsholder ¹⁷⁴⁰

¹⁷³⁸ S 18(5).

¹⁷³⁹ s 54(6) (referring to "the use of the related rights object in accordance with ... [s 54(2)]" rather than s 54(3), which would have incorporated the exceptions for works into related rights objects).

¹⁷⁴⁰ ss 18(2), 54(6) (referencing s 54(2)).

Lebanon

1. Legislation Reviewed

Law No. 75 of 1999 on the Protection of Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 23
Scope of private/personal use	copy, record or make a single copy
Type(s) of source work(s)	any work that has been legally published, (a sound recording, performance, broadcast, printed work) ¹⁷⁴¹
Entity exercising private/personal use	a natural person
Purpose of private/personal use	personal and private use
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	use of a copy copied or reproduced inside a company or at any work place is not a personal and private use works of architecture (complete or partial construction), any work of which a limited number of original copies are published, reproduction of whole or significant part of book, compilations of data of all kinds, computer program ¹⁷⁴²
Subject to Attribution	
Subject to Remuneration	not required ("without having to pay him any compensation")

3. Quotations

Provision	Art. 25(2)
Scope of quotation	use
Type(s) of source work(s)	a limited part of any legally published work, (sound recording, performance, broadcast, printed work) ¹⁷⁴³
Entity exercising quotation	
Purpose of quotation	criticism, argumentation or citation
Condition of quotation	part used does not exceed what is necessary and customary
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without obligation to pay him compensation")

¹⁷⁴¹ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

¹⁷⁴² Art. 24 (excepting use of the computer program and for backup/archival purposes).

¹⁷⁴³ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

4. Research/Educational Reproduction

Provision	Art. 25(2)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a limited part of any legally published work, (sound recording, performance, broadcast, printed work) ¹⁷⁴⁴
Entity exercising reproduction	
Purpose of educational reproduction	an educational purpose
Condition of reproduction	
Frequency/copies and limits	part used does not exceed what is necessary and customary
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without obligation to pay him compensation")

Provision	Art. 26
Scope of research/educational reproduction	copy or reproduce
Type(s) of source work(s)	articles published in newspapers and magazines or short excerpts of a work, (a sound recording, performance, broadcast, printed work) ¹⁷⁴⁵
Entity exercising reproduction	
Purpose of educational reproduction	solely for educational purposes
Condition of reproduction	
Frequency/copies and limits	within the necessary limits of such purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	publisher, author (if indicated on source)
Subject to Remuneration	not required ("without obligation to pay him compensation")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 32
Scope of school performance	display or perform, in public
Type(s) of source work(s)	a work, (a sound recording, performance, broadcast, printed work) ¹⁷⁴⁶
Entity exercising school performance	teachers or students of educational institutions use the work
Purpose of school performance	activities carried out by educational institutions
Condition of school performance	audience is limited to the teachers, students, students' parents and persons directly involved in the activities of the said educational institution

¹⁷⁴⁴ Art. 47 (applying the limitations and exceptions for copyright works to related rights).¹⁷⁴⁵ Art. 47 (applying the limitations and exceptions for copyright works to related rights).¹⁷⁴⁶ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without obligation to pay him compensation")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25(2)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a limited part of any legally published work, (sound recording, performance, broadcast, printed work) ¹⁷⁴⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an educational purpose
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	part used does not exceed what is necessary and customary
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without obligation to pay him compensation")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁷⁴⁷ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

Lesotho

1. Legislation Reviewed

Copyright Order 1989 (Order No.13 of 1989)

2. Private/Personal Use

Provision	s 9(a)(i)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the user's personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 30(1)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

Provision	s 9(a)(ii)
Scope of quotation	inclusion, of quotations, in another work
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice

	quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 30(1)(c)
Scope of quotation	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	solely for the purpose of short excerpts
Condition of quotation	quotations are compatible with fair practice justified by the informatory purposes of such quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

4. Research/Educational Reproduction

Provision	s 9(f)
Scope of research/educational reproduction	reproduction, by photography, sound or video-recording, of [sic] electronic storage
Type(s) of source work(s)	literary artistic or scientific works which have already been lawfully made available to the public, (performances, phonograms, broadcasts) ¹⁷⁴⁸
Entity exercising reproduction	[inter alia] scientific institutions and educational establishments
Purpose of educational reproduction	needs of the regular activities of the entity reproducing the work
Condition of reproduction	
Frequency/copies and limits	reproduction, number of copies made and use thereof are limited to the needs of the regular activities of the entity
Preclusions (not part of research/educational reproduction)	reproduction etc. will "neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interest of the author"
Subject to Attribution	
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 30(2)
Scope of research/educational reproduction	reproduction, by way of licences, of duplicates

¹⁷⁴⁸ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

Type(s) of source work(s)	phonograms
Entity exercising reproduction	
Purpose of educational reproduction	reproduction serves the exclusive purposes of education or scientific research
Condition of reproduction	reproduction is made and distributed in Lesotho, to the exclusion of all importation of duplicates
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration, prescribed by the Ministry of Information and Broadcasting with particular reference to the number of duplicates to be made and distributed, for the phonogram producer

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 9(a)(iii)
Scope of anthologies/compilations limitation/exception	utilization by way of illustration in publications
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ¹⁷⁴⁹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ¹⁷⁵⁰
Subject to Remuneration	not required ("without the obligation to pay remuneration")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 9(a)(iii)
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¹⁷⁴⁹ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

¹⁷⁵⁰ S 2(1) (defining "sufficient acknowledgement").

Scope of broadcast/communication/recording	utilization by way of illustration in broadcasts, distribution by cable, sound or visual recordings
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ¹⁷⁵¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ¹⁷⁵²
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 9(a)(iii)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ¹⁷⁵³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes of the work broadcast or distributed by cable for use in schools, education, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the obligation to pay remuneration")

¹⁷⁵¹ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

¹⁷⁵² S 2(1) (defining "sufficient acknowledgement").

¹⁷⁵³ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 10, First Schedule
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁷⁵⁴ compulsory licence, for translation and publication of such translation in printed or analogous forms of reproduction in Lesotho ¹⁷⁵⁵
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	works which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ¹⁷⁵⁶ (for domestic broadcasting organisations) any text incorporated in an audio-visual fixation that was itself prepared and published for the sole purpose of being used in connection with systematic instructional activities ¹⁷⁵⁷
Licence applicant/entity	licence applicant is a national of Lesotho or a domestic broadcasting organisation ¹⁷⁵⁸
Purpose of licence	purpose of teaching, scholarship or research ¹⁷⁵⁹
Condition of licence	licence application may be made: 3 years from first publication (for translation into English), ¹⁷⁶⁰ or 1 year from first publication (for translation into Sesotho) ¹⁷⁶¹ work has not been previously translated into the language in the licence application and published by the owner of the right of translation, or if translation has been so published, all previous editions in that language are out of print ¹⁷⁶² licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre ¹⁷⁶³

¹⁷⁵⁴ Para. 4(1)(d), (e), First Schedule.¹⁷⁵⁵ Para. 4(1)(b), First Schedule. An exception may be made for printing outside of Lesotho. See para. 4(1) proviso.¹⁷⁵⁶ Para. 6(1), First Schedule.¹⁷⁵⁷ Para. 5(2), First Schedule.¹⁷⁵⁸ Paras. 2(1), 5(1), First Schedule.¹⁷⁵⁹ Para. 4(1)(a), First Schedule.¹⁷⁶⁰ Para. 2(2)(a), First Schedule.¹⁷⁶¹ Para. 2(2)(b), First Schedule.¹⁷⁶² Para. 3(1)(a), First Schedule.¹⁷⁶³ Para. 3(1)(b)-(d), First Schedule. In addition, a waiting period of 6/9 months must have lapsed before the licence application has been made. Para. 3(3).

	<p>opportunity to be heard is given, to owner of right of translation, where known or located¹⁷⁶⁴</p> <p>a further period of 6/9 months has lapsed from date licence applicant complies with licence requirements¹⁷⁶⁵</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner¹⁷⁶⁶</p> <p>if work is composed mainly of illustrations, the additional conditions of the Second Schedule to the First Schedule are fulfilled¹⁷⁶⁷</p> <p>author has not withdrawn from circulation copies of the work¹⁷⁶⁸</p> <p>on all copies of the published translation are printed: the name of author and original title,¹⁷⁶⁹ a notice in the language of the translation stating that the copy is available for distribution only in Lesotho,¹⁷⁷⁰ a reprint of the original copyright notice (if available)¹⁷⁷¹</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged in Lesotho for comparable works¹⁷⁷²</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of translation right in the work, consistent with normally operating standards of royalties ¹⁷⁷³
Price of publication	
Distribution conditions	copies of translated work may not be exported, except if translation is into a language other than English, for Lesotho nationals, or of organizations of Lesotho nationals, residing abroad, who will use them only for purpose of teaching, scholarship or research, where the sending and

¹⁷⁶⁴ Para. 3(2), First Schedule.

¹⁷⁶⁵ Para. 3(4), First Schedule.

¹⁷⁶⁶ Para. 3(5), First Schedule.

¹⁷⁶⁷ Para. 3(6), First Schedule.

¹⁷⁶⁸ Para. 3(7), First Schedule.

¹⁷⁶⁹ Para 4(5)(a), First Schedule.

¹⁷⁷⁰ Para 4(5)(b), First Schedule.

¹⁷⁷¹ Para 4(5)(c), First Schedule.

¹⁷⁷² Para. 4(7), (7), First Schedule.

¹⁷⁷³ Para. 4(3), First Schedule.

	distribution are without any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ¹⁷⁷⁴
Grantor of compulsory licence	Minister

Provision	s 10, First Schedule
Nature of compulsory licence for translation for educational purposes	compulsory licence, for broadcasting of translation for recipients in Lesotho, including broadcasts made through the medium of sound or visual recording ¹⁷⁷⁵
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	works which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ¹⁷⁷⁶
Licence applicant/entity	licence applicant is a domestic broadcasting organization ¹⁷⁷⁷
Purpose of licence	broadcasts intended exclusively for teaching or for the dissemination of the results of specialized technical or scientific research to experts in a particular profession ¹⁷⁷⁸
Condition of licence	translation is made from a lawfully made or acquired copy ¹⁷⁷⁹ the translation and broadcasting of such translation are not used for any commercial purposes ¹⁷⁸⁰
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	sounds or visual recordings of the translation may not be used by broadcasting organizations other than those having their headquarters in Lesotho ¹⁷⁸¹
Grantor of compulsory licence	Minister

Provision	s 11, Second Schedule
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, non-transferable ¹⁷⁸² compulsory licence, for: * publication of particular edition, in printed or analogous forms of reproduction in Lesotho ¹⁷⁸³ [of a work]

¹⁷⁷⁴ Para. 4(2), First Schedule.

¹⁷⁷⁵ Para. 5(1)(c), First Schedule.

¹⁷⁷⁶ Para. 6(1), First Schedule.

¹⁷⁷⁷ Para. 5(1), First Schedule.

¹⁷⁷⁸ Para. 5(1)(b), First Schedule.

¹⁷⁷⁹ Para 5(1)(a), First Schedule.

¹⁷⁸⁰ Para. 5(1)(e), First Schedule.

¹⁷⁸¹ Para. 5(1)(d), First Schedule.

¹⁷⁸² Para. 4(1)(d), (e), Second Schedule. Provisions have been incorrectly labelled as paras. (a) and (b).

¹⁷⁸³ Para. 2(1), Second Schedule. An exception may be made for printing outside of Lesotho. See para. 4(1)(c) proviso.

	* reproduction in audiovisual form, or translation [sic] of any text incorporated, into English [of an audiovisual fixation] ¹⁷⁸⁴
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	[works]: which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ¹⁷⁸⁵ [audiovisual fixations]: which have been prepared and published for the sole purpose of being used in connection with systematic instructional activities ¹⁷⁸⁶
Licence applicant/entity	licence applicant a national of Lesotho ¹⁷⁸⁷
Purpose of licence	systematic instructional activities ¹⁷⁸⁸
Condition of licence	licence application may be made: works of fiction, poetry, drama, music or art - 7 years from first publication, or works of technology, natural and physical sciences, mathematics - 3 years from first publication, or any other work - 5 years from first publication ¹⁷⁸⁹ work has not been previously reproduced and published by the owner/authorised person in Lesotho, to the general public or in connection with systematic instructional activities, at a price reasonably related to that charged in Lesotho for comparable works, or, under the same conditions, such copies have not been on sale in Lesotho for a continuous period of at least 6 months ¹⁷⁹⁰ licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to owner after due diligence, despite sending request to publisher or to any designated national or international information centre ¹⁷⁹¹ opportunity to be heard is given, to owner of right of reproduction, where known or located ¹⁷⁹² a "further period" of 3/6 months has lapsed from

¹⁷⁸⁴ Para. 5(a), (b), Second Schedule.¹⁷⁸⁵ Paras. 1, 6(1), Second Schedule.¹⁷⁸⁶ Para. 5(a), (b), Second Schedule.¹⁷⁸⁷ Para. 2(1), Second Schedule.¹⁷⁸⁸ Para. 4(1)(a), Second Schedule.¹⁷⁸⁹ Para 2(2), Second Schedule.¹⁷⁹⁰ Para. 3(1)(a), Second Schedule.¹⁷⁹¹ Para. 3(1)(b)-(d), Second Schedule.¹⁷⁹² Para. 3(2), Second Schedule.

	<p>date licence applicant complies with licence requirements¹⁷⁹³</p> <p>no licence shall be granted if, during “further period”, a distribution or placing on sale has taken place by or with authorisation of owner¹⁷⁹⁴</p> <p>author has not withdrawn from circulation copies of the work¹⁷⁹⁵</p> <p>if edition for reproduction is a translation, the licence shall only be granted if the translation is in a prescribed language and published by or with authorization of the owner of the right of translation¹⁷⁹⁶</p> <p>on all copies of the published reproduction are included: the name of author and original title,¹⁷⁹⁷ a notice in the language of the publication stating that the copy is available for distribution only in Lesotho,¹⁷⁹⁸ a reprint of the original copyright notice (if available)¹⁷⁹⁹</p> <p>subject to licensee’s sale of existing copies, licence terminated if reproduction right owner has distributed the reproduction in Lesotho or in connection with systematic instructional activities, at a price reasonably related to that normally charged in Lesotho for comparable works¹⁸⁰⁰</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of reproduction right in the work, consistent with normally operating standards of royalties ¹⁸⁰¹
Price of publication	a price reasonably related to, or lower than, that normally charged in Lesotho for comparable work ¹⁸⁰²
Distribution conditions	copies of reproduced work may only be published within Lesotho and not be exported ¹⁸⁰³
Grantor of compulsory licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

¹⁷⁹³ Para. 3(3), (4), Second Schedule. It is 3 months for a 5/7 year waiting period, and 6 months for a 3 year waiting period.

¹⁷⁹⁴ Para. 3(5), Second Schedule.

¹⁷⁹⁵ Para. 3(6), Second Schedule.

¹⁷⁹⁶ Para. 3(7), Second Schedule.

¹⁷⁹⁷ Para 4(4)(a), First Schedule.

¹⁷⁹⁸ Para 4(4)(b), First Schedule.

¹⁷⁹⁹ Para 4(4)(c), First Schedule.

¹⁸⁰⁰ Para. 4(5), (6), Second Schedule.

¹⁸⁰¹ Para. 4(2), Second Schedule.

¹⁸⁰² Para. 4(1)(b), Second Schedule.

¹⁸⁰³ Para. 4(1)(c), Second Schedule.

Liberia

1. Legislation Reviewed

Copyright Law of the Republic of Liberia

2. Private/Personal Use

Provision	s 2.7
Scope of private/personal use	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁸⁰⁴
Entity exercising private/personal use	
Purpose of private/personal use	scholarship or research
Condition of private/personal use	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction of a computer program ¹⁸⁰⁵
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

Note: This includes a user requesting, for private study, scholarship or research purposes, that the library/archive make a copy of one article or contribution to a copyright collection periodical, or to a copy or sound recording of a small part of any other copyrighted work. See s 2.9(d).

3. Quotations

Provision	s 2.7
Scope of quotation	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁸⁰⁶
Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial

¹⁸⁰⁴ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

¹⁸⁰⁵ S 2.14 (excepting the reproduction of a computer program for its use, and for backup/archival purposes).

¹⁸⁰⁶ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

	nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of quotation)	reproduction of a computer program ¹⁸⁰⁷
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

4. Research/Educational Reproduction

Provision	S 2.7
Scope of research/educational reproduction	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁸⁰⁸
Entity exercising reproduction	
Purpose of educational reproduction	teaching (including multiple copies for classroom use), scholarship and research
Condition of reproduction	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	S 2.7
Scope of anthologies/compilations limitation/exception	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁸⁰⁹
Entity exercising anthologies/compilations limitation/exception	

¹⁸⁰⁷ S 2.14 (excepting the reproduction of a computer program for its use, and for backup/archival purposes).

¹⁸⁰⁸ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

¹⁸⁰⁹ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

Purpose of anthologies/compilations limitation/exception	teaching (including multiple copies for classroom use), scholarship and research
Condition of anthologies/compilations limitation/exception	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

6. School Performances

Provision	s 2.10(1)
Scope of school performance	performance or display
Type(s) of source work(s)	a work
Entity exercising school performance	instructors or pupils
Purpose of school performance	face-to-face teaching activities of a non-profit educational institution, in a classroom or similar place devoted to instruction
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	in the case of a motion picture or other audiovisual work, the performance, or the display of individual images, is given by means of a copy that was not lawfully made under this title, and that the person responsible for the performers knew or had reason to believe [copy] was not lawfully made
Subject to Attribution	
Subject to Remuneration	not required ("not infringement of copyrights")

Provision	S 2.10(4)
Scope of school performance	performance, otherwise than in a transmission to the public
Type(s) of source work(s)	a non-dramatic literary or musical work
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	without any purpose of direct or indirect

	<p>commercial advantage</p> <p>without payment of any fee or other compensation for the performance, performers, promoters, or organizers</p> <p>no direct or indirect admission charges</p> <p>proceeds, after deducting the reasonable cost of producing the performance, are used exclusively for educational, religious, or charitable purposes and not for private financial gain</p>
Preclusions (not part of school performance)	unless copyright owner has served a duly signed notice of objection complying in form with regulatory requirements, on the person responsible for the performance at least 7 days before the date of the performance ¹⁸¹⁰
Subject to Attribution	
Subject to Remuneration	not required ("not infringement of copyrights")

7. Educational Broadcasts/Communications/Recordings

Provision	S 2.7
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁸¹¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (including multiple copies for classroom use), scholarship and research
Condition of broadcast/communication/recording	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

¹⁸¹⁰ S 2.10(4) proviso.

¹⁸¹¹ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

Provision	S 2.10(2)
Scope of broadcast/communication/recording	performance or display, by or in the course of a transmission
Type(s) of source work(s)	a non-dramatic literary or musical work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	regular part of the systematic instructional activities or a governmental body or a non-profit educational institution
Condition of broadcast/communication/recording	performance or display is directly related and of material assistance to the teaching content of the transmission
Frequency/limits of broadcast/communication/recording	transmission is made primarily for i) reception in classroom or similar places normally devoted to instruction; or ii) reception by person to whom the transmission is directed because ... other special circumstances prevent their attendance in classrooms or similar places normally devoted to instruction
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not infringement of copyrights")

Provision	s 2.16(A)
Scope of broadcast/communication/recording	inclusion in educational ,television and radio programs distributed, transmitted by or through public broadcasting entities
Type(s) of source work(s)	sound recordings
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies or sound recordings are not commercially distributed by or through public broadcasting entity to the general public
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("exclusive rights of the owner of copyright in a sound recording ... do not apply")

Provision	s 2.19
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Scope of broadcast/communication/recording	perform or display, by or in the course of transmission made, ¹⁸¹² (including the production of a transmission program, reproduction of copies or sound recordings of such a transmission program and distribution of such copies, ¹⁸¹³ and the making of a reproduction of the transmission, performance or display) ¹⁸¹⁴
Type(s) of source work(s)	published nondramatic musical works and published pictorial, graphic and sculptural works
Entity exercising broadcast/communication/recording	a non-commercial public educational broadcasting station (as a public broadcasting entity) ¹⁸¹⁵
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	production, reproduction or distribution made solely for purposes of performance or display of work by or in the course of transmission ¹⁸¹⁶
Frequency/limits of broadcast/communication/recording	reproduction of the transmission to be destroyed 7 days from date of transmission ¹⁸¹⁷ use beyond the limits of fair use provided by s 2.7, the unauthorized dramatization of a non-dramatic musical work, the production of a transmission program drawn to any substantial extent from a published compilation of pictorial, graphic, or sculptural works, or the unauthorized use of any portion of an audiovisual work ¹⁸¹⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	in accordance with the terms of any voluntary licence agreements negotiated as provided in s 2.19(b)(2) and the rates and terms established by the Copyright Board in s 2.19(b)(3) ¹⁸¹⁹

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁸¹² S 2.19(c)(1).

¹⁸¹³ S 2.19(c)(2).

¹⁸¹⁴ S 2.19(c)(3).

¹⁸¹⁵ S 2.19(f).

¹⁸¹⁶ S 2.19(c)(2).

¹⁸¹⁷ S 2.19(c)(3).

¹⁸¹⁸ S 2.19(e).

¹⁸¹⁹ S 2.19(c).

Libya

1. Legislation Reviewed

Law No. 9 for 1968 Issuing the Copyright Protection Law

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	copy
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a person
Purpose of private/personal use	own use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent")

Provision	Art. 11
Scope of private/personal use	eurythmy, acting, or delivery
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	a family gathering
Condition of private/personal use	does not yield any financial return
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent")

3. Quotations

Provision	Art. 13
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	criticism, discussion, education or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if known)
Subject to Remuneration	not required ("author may not prevent")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17(a)
Scope of anthologies/compilations limitation/exception	copying, in school books and in literature, history, science and art books
Type(s) of source work(s)	published works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	short quotations
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall be allowed")

Provision	Art. 17(b)
Scope of anthologies/compilations limitation/exception	copying, in school books and in literature, history, science and art books
Type(s) of source work(s)	published works on graphic art, sculpture and photography
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	limited to extent necessary to explain what is written
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall be allowed")

6. School Performances

Provision	Art. 11
Scope of school performance	eurythmy, acting, or delivery
Type(s) of source work(s)	a published work
Entity exercising school performance	
Purpose of school performance	a society, a private club or school meeting
Condition of school performance	does not yield any financial return
Preclusions (not part of school performance)	

Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent")

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Liechtenstein

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (Copyright Law) (version as of 1 June 2016)

Regulation on Copyright and Neighbouring Rights (Copyright Regulation)

2. Private/Personal Use

Provision	Art. 22(1)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸²⁰
Entity exercising private/personal use	
Purpose of private/personal use	in the personal area and within a circle of persons who are connected closely among each other, such as relatives and friends (as a special purpose)
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	outside the private circle: complete or substantially complete reproduction of copies of works available in commerce, reproduction of works of art, graphical notations of musical works, recording of speeches, performances or presentations on a phonogram, an audiovisual medium, or a data medium ¹⁸²¹ a computer program ¹⁸²²
Subject to Attribution	
Subject to Remuneration	not required ¹⁸²³

3. Quotations

Provision	Art. 27(1)
Scope of quotation	quote
Type(s) of source work(s)	published works, (performances, phonograms, films, broadcasts) ¹⁸²⁴
Entity exercising quotation	
Purpose of quotation	quotation serves as explanation, indication, or illustration
Condition of quotation	extent of the quotation is justified by this purpose
Preclusions (not part of quotation)	

¹⁸²⁰ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸²¹ Art. 22(3).

¹⁸²² Art. 22(4).

¹⁸²³ Art. 23(1) ("Use of a work in a private circle (Article 22(1)(a)) shall not give rise to a right of remuneration.").

¹⁸²⁴ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("shall be permissible")

4. Research/Educational Reproduction

Provision	Art. 22(1)(b)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸²⁵
Entity exercising reproduction	
Purpose of educational reproduction	for illustration for instruction or for scientific research
Condition of reproduction	non-commercial purposes
Frequency/copies and limits	to the extent that this is justified
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if feasible)
Subject to Remuneration	remuneration payable by person who reproduces works <i>for private use</i> and manufacturer/importer of blank cassettes or other phonograms and videograms suitable for recording of works to CMO, to be distributed to author ¹⁸²⁶

Provision	Art. 22(1)(c)
Scope of research/educational reproduction	reproduction, on paper or a similar medium through photomechanical procedures or similar procedures
Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸²⁷
Entity exercising reproduction	entity permitted to have copies made through third persons (also deemed to be libraries, other public institutions and businesses that provide their users with copying machines) ¹⁸²⁸
Purpose of educational reproduction	for purposes of instruction, for the scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration payable by third persons who reproduce works (<i>on behalf of entity</i>) to CMO, to be distributed to author ¹⁸²⁹

¹⁸²⁵ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸²⁶ Art. 23(2)-(4).

¹⁸²⁷ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸²⁸ Art. 22(2).

¹⁸²⁹ Art. 23(2)-(4).

Provision	Art. 22(1)(d)
Scope of research/educational reproduction	digital reproduction
Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸³⁰
Entity exercising reproduction	
Purpose of educational reproduction	purposes of instruction and for the scientific research
Condition of reproduction	without a direct or indirect economic or commercial purpose
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration payable by manufacturer/importer of blank cassettes or other phonograms and videograms suitable for recording of works to CMO, to be distributed to author ¹⁸³¹

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 22(1)(b)
Scope of school performance	use
Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸³²
Entity exercising school performance	
Purpose of school performance	for illustration for instruction or for scientific research
Condition of school performance	non-commercial purposes to the extent that this is justified
Preclusions (not part of school performance)	
Subject to Attribution	source, author (if feasible)
Subject to Remuneration	remuneration payable by manufacturer/importer of blank cassettes or other phonograms and videograms suitable for recording of works to CMO, to be distributed to author ¹⁸³³

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 22(1)(b)
Scope of broadcast/communication/recording	use

¹⁸³⁰ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸³¹ Art. 23(3)-(4).

¹⁸³² Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸³³ Art. 23(2)-(4).

Type(s) of source work(s)	a published work, (a performance, phonogram, film, broadcast) ¹⁸³⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for illustration for instruction or for scientific research
Condition of broadcast/communication/recording	non-commercial purposes
Frequency/limits of broadcast/communication/recording	to the extent that this is justified
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if feasible)
Subject to Remuneration	remuneration payable by manufacturer/importer of blank cassettes or other phonograms and videograms suitable for recording of works to CMO, to be distributed to author ¹⁸³⁵

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 44a(4), (5)
Scope of TPM/RMI exception	require rightholder who used technological measures in respect of his work to make available means for the “beneficiaries” to use the work
Type(s) of source work(s)	work (but not applicable to works available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹⁸³⁶)
Beneficiary exercising exception	“beneficiaries”: users who reproduce work/subject-matter for, <i>inter alia</i> , private use (Art. 22(1)(a)), instruction or scientific research (Art. 22(1)(b)-(d)), quotations (Art. 27)
Purpose of exception	to the extent necessary
Condition of exception	beneficiary to have an enforceable right to realize the permitted user of the work

¹⁸³⁴ Art. 43 (making applicable mutatis mutandis Arts. 22 to 31 to the rights of performers, phonogram producers, film producers and broadcasting organizations).

¹⁸³⁵ Art. 23(2)-(4).

¹⁸³⁶ Art. 44a(5), taken from EU Copyright Directive 2001/29, Art. 6(4).

Lithuania

1. Legislation Reviewed

Law on Copyright and Related Rights No. VIII-1185 of May 18, 1999 (as amended on October 7, 2014 – by Law No. XII-1183)

2. Private/Personal Use

Provision	Arts. 20, 58.2
Scope of private/personal use	reproduce (not by reprography)
Type(s) of source work(s)	a work lawfully published or communicated to the public, (a performance, phonogram, audiovisual work (film) or broadcast of a broadcasting organization)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his individual use and not for commercial advantage
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture or other construction works, electronic databases, ¹⁸³⁷ computer programs ¹⁸³⁸ any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights” ¹⁸³⁹
Subject to Attribution	
Subject to Remuneration	reproduction of audiovisual works and phonograms for private/personal use: compensatory remuneration to be paid by sellers of devices and analog and digital blank audio and audiovisual media, collected by CMOs and distributed to owners of copyright and related rights, according to the compensatory remuneration rates set out in Annex I ¹⁸⁴⁰

Provision	Art. 20 ¹
Scope of private/personal use	reprographic reproduction (effected by the use of any kind of photocopying technique or by some other process having similar effects, where a work is reproduced on paper or any similar medium)

¹⁸³⁷ Art. 32 (excepting use of the database that are necessary for access, and appropriate use of its contents as a legitimate user).

¹⁸³⁸ Arts. 30, 31 (excepting use of the computer program, for backup/archival purposes and for decompilation).

¹⁸³⁹ Arts. 19(1), 58.3.

¹⁸⁴⁰ Arts. 20(5)-(11).

Type(s) of source work(s)	a lawfully published article or any other short work, or a short extract of a writing with or without illustrations
Entity exercising private/personal use	
Purpose of private/personal use	private use but not for purposes of commercial advantage
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction by means of reprography of the whole text of a book or a major part thereof, or sheet music any limitation must “not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of author or other owner of copyright” ¹⁸⁴¹
Subject to Attribution	
Subject to Remuneration	compensatory remuneration to be paid by service providers of reprographic reproduction (provided to natural persons) and sellers of reprographic devices, collected by CMOs, distributed to owners of copyright and publishers according to the compensatory remuneration rates set out in Annex II; ¹⁸⁴² but refunded where reprographic devices are purchased for “professional needs” e.g. where works are reproduced in educational institutions ¹⁸⁴³

3. Quotations

Provision	Art. 21
Scope of quotation	reproduce, publish and communicate to the public (including making it available to the public via computer networks), in another work
Type(s) of source work(s)	a relatively short passage of a literary and scientific work which has been lawfully published or made available to the public, both in the original and translated language
Entity exercising quotation	
Purpose of quotation	quotation (for purposes such as criticism or review)
Condition of quotation	use is in accordance with fair practice and to the extent required by the specific purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source, unless infeasible)

¹⁸⁴¹ Art. 19(1).

¹⁸⁴² Arts. 20¹(3)-(10).

¹⁸⁴³ Art. 20¹(6).1 (defining “professional needs” as “the needs of persons who acquire reprographic devices for the purposes evidently other than reproduction of works for private use”).

Subject to Remuneration	not required ("without a remuneration")
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4. Research/Educational Reproduction

Provision	Arts. 22(1), 58.1(5)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	short works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁸⁴⁴ lawfully published or communicated to the public or short extracts of a work lawfully published or communicated to the public, either in the original language or translated into another language
Entity exercising reproduction	
Purpose of educational reproduction	non-commercial purpose of illustration for teaching or scientific research
Condition of reproduction	related to study programmes
Frequency/copies and limits	not exceed the extent justified by the purpose to be achieved
Preclusions (not part of research/educational reproduction)	any limitation must "not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights" ¹⁸⁴⁵
Subject to Attribution	source, author (where possible)
Subject to Remuneration	not required ("without the payment of a remuneration")

Provision	Art. 22(2)
Scope of research/educational reproduction	reproduction, communication to the public and public display, by way of illustration
Type(s) of source work(s)	works created to evaluate students' learning achievements
Entity exercising reproduction	
Purpose of educational reproduction	related to study programmes and teacher professional development programmes
Condition of reproduction	non-commercial purposes
Frequency/copies and limits	to the extent justified by the purpose of teaching or teacher professional development
Preclusions (not part of research/educational reproduction)	any limitation must "not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of author or other owner of copyright" ¹⁸⁴⁶
Subject to Attribution	source, author (where possible)
Subject to Remuneration	not required ("without the payment of a remuneration")

¹⁸⁴⁴ Art. 58.1(5).

¹⁸⁴⁵ Arts. 19(1), 58.3.

¹⁸⁴⁶ Arts. 19(1).

Provision	Arts. 22(3), 58.1(3)
Scope of research/educational reproduction	use
Type(s) of source work(s)	works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁸⁴⁷ held by libraries, by libraries of educational and research institutions, museums or archives (if work is not publicly traded, the copyright owners must not prohibit the use of such works)
Entity exercising reproduction	
Purpose of educational reproduction	non-commercial purpose of research or private study
Condition of reproduction	establishment may reproduce the acquired copies of the works, but only in order to make communication of a work to the public technically possible via computer networks
Frequency/copies and limits	establishment must ensure the use of effective technical protection measures so copies of works would not be reproduced and the content information of works would not be transferred or transmitted outside the terminals of the establishments to external networks not be permitted to make accessible via computer networks more copies of a work than held by these institutions
Preclusions (not part of research/educational reproduction)	any limitation must "not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights" ¹⁸⁴⁸
Subject to Attribution	
Subject to Remuneration	not required ("without the payment of a remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Arts. 22(4), 58.1(6)
Scope of school performance	public performance and public display
Type(s) of source work(s)	a work, (a performance, phonogram, fixation of audiovisual works, broadcast) ¹⁸⁴⁹
Entity exercising school performance	
Purpose of school performance	non-commercial purposes concerts, exhibitions of formal and non-formal education institutions and pre-school education institutions (nurseries, nursery-kindergartens,

¹⁸⁴⁷ Art. 58.1(3).

¹⁸⁴⁸ Arts. 19(1), 58.3.

¹⁸⁴⁹ Art. 58.1(6).

	kindergartens; also nurseries, nursery-kindergartens and kindergartens for pre-school education of children with special needs) such concerts and exhibitions constitute a part of education process carried out by these institutions
Condition of school performance	
Preclusions (not part of school performance)	any limitation must "not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights" ¹⁸⁵⁰
Subject to Attribution	
Subject to Remuneration	not required ("without the payment of a remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Arts. 22(1), 58.1(5)
Scope of broadcast/communication/recording	communication to the public and public display
Type(s) of source work(s)	short works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁸⁵¹ lawfully published or communicated to the public or short extracts of a work lawfully published or communicated to the public, either in the original language or translated into another language
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non-commercial purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	related to study programmes
Frequency/limits of broadcast/communication/recording	not exceed the extent justified by the purpose to be achieved
Preclusions (not part of broadcast/communication/recording)	any limitation must "not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights" ¹⁸⁵²
Subject to Attribution	source, author (where possible)
Subject to Remuneration	not required ("without the payment of a remuneration")

Provision	Arts. 22(3), 58.1(3)
Scope of broadcast/communication/recording	communication to the public via terminals designated for that purpose in establishments

¹⁸⁵⁰ Arts. 19(1), 58.3.

¹⁸⁵¹ Art. 58.1(5).

¹⁸⁵² Arts. 19(1), 58.3.

Type(s) of source work(s)	works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁸⁵³ held by libraries, by libraries of educational and research institutions, museums or archives (if work is not publicly traded, the copyright owners must not prohibit the use of such works)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non-commercial purpose of research or private study
Condition of broadcast/communication/recording	establishment may reproduce the acquired copies of the works, but only in order to make communication of a work to the public technically possible via computer networks
Frequency/limits of broadcast/communication/recording	establishment must ensure the use of effective technical protection measures so copies of works would not be reproduced and the content information of works would not be transferred or transmitted outside the terminals of the establishments to external networks not be permitted to make accessible via computer networks more copies of a work than held by these institutions
Preclusions (not part of broadcast/communication/recording)	any limitation must "not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights" ¹⁸⁵⁴
Subject to Attribution	
Subject to Remuneration	not required ("without the payment of a remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁵³ Art. 58.1(3).¹⁸⁵⁴ Arts. 19(1), 58.3.

Luxembourg

1. Legislation Reviewed

Law of April 18, 2004, amending Law of April 18, 2001 on Copyright, Neighboring Rights and the Databases

Law of July 20, 1992, amending the Patent System

2. Private/Personal Use

Provision	Art. 10.4
Scope of private/personal use	reproduction in any medium
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for private use
Condition of private/personal use	not directly or indirectly for commercial purpose
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair compensation, subject to conditions for fixing and collecting compensation and its level fixed by Grand-Ducal regulation, taking into account application of technical measures to the relevant works, payable to rightholder

Provision	Art. 46.4
Scope of private/personal use	reproduction
Type(s) of source work(s)	performances, (broadcasts) ¹⁸⁵⁵
Entity exercising private/personal use	
Purpose of private/personal use	for private use
Condition of private/personal use	reproduction made for free not intended for use or public communication
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction does not prejudice the exploitation of the original performance
Subject to Attribution	
Subject to Remuneration	not required ("may not prohibit")

3. Quotations

Provision	Art. 10.1
Scope of quotation	short quotations in the original language or in translation
Type(s) of source work(s)	works lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	critical, polemic, educational, scientific or

¹⁸⁵⁵ Art. 55 (applying Art. 46 to broadcasts).

	information purpose of the work in which they are incorporated
Condition of quotation	use of quotation (without authorization of author) to be compatible with fair practice use of quotation not to be for profit quotations are justified by their specific purpose
Preclusions (not part of quotation)	quotations do not affect the work or its exploitation
Subject to Attribution	title, author (if indicated on source)
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 46.1
Scope of quotation	short quotations in the original language or in translation
Type(s) of source work(s)	work or program in which performance is incorporated, (broadcasts) ¹⁸⁵⁶
Entity exercising quotation	
Purpose of quotation	critical, polemic, educational, scientific or information purpose of the work or program in which performance is incorporated
Condition of quotation	use of quotation to be compatible with fair practice use of quotation not to be for profit
Preclusions (not part of quotation)	quotations to the extent that they do not affect the performances or their exploitation
Subject to Attribution	
Subject to Remuneration	not required ("may not prohibit")

4. Research/Educational Reproduction

Provision	Art. 10.2
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	short fragments of works lawfully made available to public
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of illustration for teaching or scientific research
Condition of reproduction	use is consistent with fair practice
Frequency/copies and limits	extent justified by the non-commercial purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, including author, unless impossible
Subject to Remuneration	not required ("author may not prohibit")

¹⁸⁵⁶ Art. 55 (applying Art. 46 to broadcasts).

Provision	Art. 46.9
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	works, (broadcasts) ¹⁸⁵⁷
Entity exercising reproduction	
Purpose of educational reproduction	by way of illustration for teaching
Condition of reproduction	use is compatible with fair practice
Frequency/copies and limits	extent justified by intended purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	.
Subject to Remuneration	not required ("may not prohibit")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 10.2
Scope of broadcast/communication/recording	communicaton to the public
Type(s) of source work(s)	short fragments of works lawfully made available to public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	use is consistent with fair practice
Frequency/limits of broadcast/communication/recording	extent justified by the non-commercial purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, including author, unless impossible
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 46.9
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	works, (broadcasts) ¹⁸⁵⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	by way of illustration for teaching
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	extent justified by intended purpose

¹⁸⁵⁷ Art. 55 (applying Art. 46 to broadcasts).¹⁸⁵⁸ Art. 55 (applying Art. 46 to broadcasts).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("may not prohibit")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 71 quinquies
Scope of TPM/RMI exception	require rightholder who used technological protection measures in respect of his work/performance to take necessary measures, including by contract, to ensure for the "beneficiaries" the unhindered exercise of the exception
Type(s) of source work(s)	legally accessed work/performance
Beneficiary exercising exception	"beneficiaries": users who reproduce/communicate work/subject-matter for illustration for private reproductions (Art. 10.4, 46.4), for teaching or scientific research (Arts. 10.2, 46.9)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	

Madagascar

1. Legislation Reviewed

Law No. 94-036 of 18 September 1995 on Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 42
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work lawfully published
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private use of the user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of limited-edition works of fine art, musical notation, exercise manuals that are used only once, whole or substantial part of a database, computer program ¹⁸⁵⁹
Subject to Attribution	
Subject to Remuneration	not required ("without authorization from the author")

Provision	Art.115(2)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, phonogram, videogram, programme ¹⁸⁶⁰
Entity exercising private/personal use	
Purpose of private/personal use	strictly reserved for the private use of the person making them
Condition of private/personal use	not intended for collective use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	works fixed on phonograms or videograms: remuneration paid by manufacturer/importer of reproduction machines, recording media used for reproduction of private use of works and objects, collected by CMOs, distributed to authors, performers and producers ¹⁸⁶¹

Provision	Art. 43(1)
Scope of private/personal use	performances

¹⁸⁵⁹ Art. 51 (excepting use of the computer program and for backup/archival purposes).

¹⁸⁶⁰ Art. 115(1).

¹⁸⁶¹ Arts. 116-123.

Type(s) of source work(s)	a disclosed work, (a performance, phonogram, videogram, programme) ¹⁸⁶²
Entity exercising private/personal use	
Purpose of private/personal use	private performance
Condition of private/personal use	given free of charge and exclusively within the family circle
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author cannot prohibit")

3. Quotations

Provision	Art. 44
Scope of quotation	use, in another work
Type(s) of source work(s)	analyses and short quotations from a lawfully published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is in line with good practice length of quotation is no greater than that warranted by the goal to be achieved
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 115(3)
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a performance, phonogram, videogram, programme ¹⁸⁶³
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	warranted by the critical, polemical, pedagogical, scientific or informative nature of the work into which they are incorporated
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	not required ("beneficiaries of [neighbouring] rights... cannot prohibit")

4. Research/Educational Reproduction

Provision	Art. 45(2)
Scope of research/educational reproduction	reproduce by reprographic means

¹⁸⁶² Art. 115(1).

¹⁸⁶³ Art. 115(1).

Type(s) of source work(s)	isolated articles lawfully published in a newspaper or periodical, or short extracts from a work lawfully published
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or examinations in teaching establishments
Condition of reproduction	activities are not directly or indirectly aimed at commercial profit,
Frequency/copies and limits	to the extent warranted by the goal to be achieved
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 45(1)
Scope of anthologies/compilations limitation/exception	use, as an illustration, in publications
Type(s) of source work(s)	lawfully published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances

Provision	Art. 43(3)
Scope of school performance	performance
Type(s) of source work(s)	a disclosed work
Entity exercising school performance	
Purpose of school performance	activities of teaching establishments, to the staff and students of such an establishment
Condition of school performance	non-lucrative activities audience is composed exclusively of the staff and students of the establishment or of parents and supervisors of the children or other persons directly connected with the activities of the establishment
Preclusions (not part of school	

performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author cannot prohibit")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 45(2)
Scope of broadcast/communication/recording	use, as an illustration, in broadcasts of sound or visual recordings
Type(s) of source work(s)	lawfully published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Malawi

1. Legislation Reviewed

Copyright Act, 1989

2. Private/Personal Use

Provision	s 10(a)(i)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a published work (in its original language or its translation)
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal or private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 39(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, sound recording, broadcast ¹⁸⁶⁴
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

Provision	s 10(a)(ii)
Scope of quotation	inclusion, in another work, of quotations
Type(s) of source work(s)	a published work (in its original language or its translation), including newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice

¹⁸⁶⁴ S 39 (referring to ss 33 – 37, but it appears to have missed out s 38, which deals with the rights of broadcasting organizations for broadcasts, though it is clear from s 39(b), (d) that s 39 is intended to apply the limitations and exceptions to all neighbouring rights).

	quotations does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 39(d)
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, sound recording or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

4. Research/Educational Reproduction

Provision	s 10(f)
Scope of research/educational reproduction	reproduction, photography, audiovisual work or sound recording or electronic storage
Type(s) of source work(s)	literary, dramatic, musical and artistic works (in their original language or translation) which have ready been lawfully made available to the public
Entity exercising reproduction	public libraries, non-commercial documentation centres, scientific institutions and educational establishments
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	such reproduction, the number of copies made and the use thereof are limited to the needs of the regular activities of the body reproducing the work
Preclusions (not part of research/educational reproduction)	reproduction etc. neither conflict with the normal uses of the work nor unreasonably prejudice the legitimate interests of the author
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the obligation to pay remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 10(a)(iii)
Scope of anthologies/compilations	use, by way of illustration in publications

limitation/exception	
Type(s) of source work(s)	a published work (in its original language or its translation)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("without the obligation to pay remuneration")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 10(a)(iii)
Scope of broadcast/communication/recording	use, by way of illustration in broadcasts, programmes distributed by cable, or audiovisual works or sound recordings or communication by cable
Type(s) of source work(s)	a published work (in its original language or its translation)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching, or for use in schools, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the obligation to pay remuneration")

Provision	s 39(c)
Scope of broadcast/communication/recording	acts referred to [in relation to the related rights for a performance, sound recording, broadcast]
Type(s) of source work(s)	a performance, sound recording, broadcast ¹⁸⁶⁵
Entity exercising	

¹⁸⁶⁵ S 39 (referring to ss 33 – 37, but it appears to have missed out s 38, which deals with the rights of broadcasting organizations for broadcasts, though it is clear from s 39(b), (d) that s 39 is intended to apply the limitations and exceptions to all neighbouring rights).

broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching or research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 17
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁸⁶⁶ compulsory licence, for translation into a foreign language or any language of Malawi, and publication of such translation in copies in Malawi ¹⁸⁶⁷
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	works expressed exclusively in words ¹⁸⁶⁸ (for broadcasting organisations) works expressed exclusively in words, in printed form or other form of reproduction, ¹⁸⁶⁹ including any text incorporated in an audio-visual work that was itself prepared and published for the sole purpose of being used in connection with systematic instructional activities ¹⁸⁷⁰
Licence applicant/entity	licence applicant is a citizen of Malawi or is ordinarily resident in Malawi ¹⁸⁷¹ or a broadcasting organisation ¹⁸⁷²
Purpose of licence	purpose of teaching, scholarship or research ¹⁸⁷³ (for broadcasting organisations) for broadcasts intended exclusively for teaching or for the dissemination of the result of specialized research to experts in a particular profession, ¹⁸⁷⁴ through broadcasts that are lawfully made and are intended for reception in Malawi, including broadcasts made from audio-visual works or

¹⁸⁶⁶ S 18(1)(c).

¹⁸⁶⁷ S 18(1)(a).

¹⁸⁶⁸ S 17(1), (2).

¹⁸⁶⁹ S 19(1).

¹⁸⁷⁰ S 19(3).

¹⁸⁷¹ S 17(2).

¹⁸⁷² S 19(1).

¹⁸⁷³ S 18(1)(b).

¹⁸⁷⁴ S 19(1)(b).

	sound recordings that are lawfully made for the sole purpose of such broadcasts ¹⁸⁷⁵
Condition of licence	<p>licence application may be made: 3 years from first publication (for translation into any language other than a language of Malawi),¹⁸⁷⁶ or 1 year from first publication (for translation into any language of Malawi)¹⁸⁷⁷</p> <p>work has not been previously translated into the language in the licence application and published by the owner of the right of translation, or if translation has been so published, all previous editions in that language are out of print¹⁸⁷⁸</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁸⁷⁹</p> <p>a further period of 6/9 months has lapsed from date licence applicant complies with licence requirements¹⁸⁸⁰</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner¹⁸⁸¹</p> <p>if work is composed mainly of illustrations, the additional conditions in s 18 are fulfilled¹⁸⁸²</p> <p>author has not withdrawn from circulation copies of the work¹⁸⁸³</p> <p>on all copies of the published translation are printed: the name of author and original title,¹⁸⁸⁴ a notice in the language of the translation stating that the copy is available for distribution only in Malawi,¹⁸⁸⁵ a reprint of the original copyright notice¹⁸⁸⁶</p>

¹⁸⁷⁵ S 19(1)(c)

¹⁸⁷⁶ S 17(3)(a).

¹⁸⁷⁷ S 17(3)(b).

¹⁸⁷⁸ S 17(4)(a).

¹⁸⁷⁹ S 17(4)(c)-(d).

¹⁸⁸⁰ S 17(6)(a), (b) (6 months for translation into any language other than a language of Malawi, 9 months for translation into a language of Malawi).

¹⁸⁸¹ S 17(7).

¹⁸⁸² S 17(8).

¹⁸⁸³ S 17(9).

¹⁸⁸⁴ S 18(2)(a).

¹⁸⁸⁵ S 18(2)(b).

	subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged in Malawi for comparable works ¹⁸⁸⁷
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of work, consistent with normally payable standards of royalties ¹⁸⁸⁸
Price of publication	
Distribution conditions	copies of translated work may not be exported ¹⁸⁸⁹ (for broadcasting organisations) translations of audiovisual work or sound recording may only be exchanged between divisions/departments of broadcasting organisation ¹⁸⁹⁰
Grantor of compulsory licence	Minister

Provision	S 20
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, ¹⁸⁹¹ non-transferable ¹⁸⁹² compulsory licence, for: reproduction and publication of reproduction in copies ¹⁸⁹³ in Malawi ¹⁸⁹⁴
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a literary, dramatic, musical or artistic work is published in printed form or other form of reproduction ¹⁸⁹⁵
Licence applicant/entity	licence applicant a citizen of Malawi or ordinarily resident in Malawi ¹⁸⁹⁶
Purpose of licence	systematic instructional activities ¹⁸⁹⁷
Condition of licence	licence application may be made: works of fiction, poetry, drama, music or art - 7 years from first publication, or works of technology, natural and physical sciences, mathematics - 3 years from first publication, or any other work - 5 years from first publication ¹⁸⁹⁸

¹⁸⁸⁶ S 18(2)(c).¹⁸⁸⁷ S 18(3).¹⁸⁸⁸ S 18(1)(f).¹⁸⁸⁹ S 18(1)(d), (e).¹⁸⁹⁰ S 19(2).¹⁸⁹¹ S 20(2).¹⁸⁹² S 21(1)(b).¹⁸⁹³ S 20(2).¹⁸⁹⁴ S 21(1)(a).¹⁸⁹⁵ S 20(1).¹⁸⁹⁶ S 20(2).¹⁸⁹⁷ S 21(1)(a).

	<p>work has not been previously reproduced and published by the owner/authorised person in Malawi, to the general public or in connection with systematic instructional activities, at a price reasonably related to that charged in Malawi for comparable works, or, such copies have not been on sale or distribution in Malawi for the immediately preceding 6 months¹⁸⁹⁹</p> <p>licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁹⁰⁰</p> <p>a “further period” of 6 months has lapsed from date licence applicant complies with licence requirements¹⁹⁰¹</p> <p>author has not withdrawn from circulation copies of the work¹⁹⁰²</p> <p>licensee to ensure that edition of work is accurately reproduced¹⁹⁰³</p> <p>on all copies of the published reproduction are included: the name of author and original title,¹⁹⁰⁴ a notice in the language of the publication stating that the copy is available for distribution only in Malawi,¹⁹⁰⁵ a reprint of the original copyright notice (if available)¹⁹⁰⁶</p> <p>subject to licensee’s sale of existing copies, licence terminated if reproduction right owner has distributed the reproduction in Malawi to the general public or in connection with systematic instructional activities, in same language and substantially same content, at a price reasonably related to that normally charged in Malawi for comparable works¹⁹⁰⁷</p>
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¹⁸⁹⁸ S 20(3)(a).
¹⁸⁹⁹ S 20(3)(b)(i).
¹⁹⁰⁰ S 20(3)(b)(ii)-(iv).
¹⁹⁰¹ S 20(5).
¹⁹⁰² S 20(6).
¹⁹⁰³ S 21(2).
¹⁹⁰⁴ S 21(2)(a).
¹⁹⁰⁵ S 21(2)(b).
¹⁹⁰⁶ S 21(2)(c).
¹⁹⁰⁷ S 21(3).

Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of reproduction right in the work, consistent with normally payable standards of royalties ¹⁹⁰⁸
Price of publication	a price reasonably related to, or lower than, that normally charged in Malawi for comparable work ¹⁹⁰⁹
Distribution conditions	copies of reproduced work may only be published within Malawi and not be exported ¹⁹¹⁰
Grantor of compulsory licence	Minister

Provision	S 22(1)(a)
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproduction in audiovisual form, including any protected work incorporated in it ¹⁹¹¹
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a lawfully made audio-visual work
Licence applicant/entity	any person
Purpose of licence	audio-visual work is prepared or published for the sole purpose of being used in connexion with systematic instructional activities ¹⁹¹²
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Grantor of compulsory licence	Minister

Provision	S 22(1)(b)
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation into either a foreign language or any language of Malawi ¹⁹¹³ ,
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any text incorporated in lawfully made audio-visual work (including any protected work incorporated in it)
Licence applicant/entity	any person
Purpose of licence	audio-visual work is prepared or published for the sole purpose of being used in connexion with systematic instructional activities ¹⁹¹⁴
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Grantor of compulsory licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

¹⁹⁰⁸ S 21(1)(e).

¹⁹⁰⁹ S 21(1)(a).

¹⁹¹⁰ S 21(1)(c), (d), (2)(b).

¹⁹¹¹ S 22(1)(a)

¹⁹¹² S 22(2).

¹⁹¹³ S 22(1)(b).

¹⁹¹⁴ S 22(2).

Malaysia

1. Legislation Reviewed

Copyright Act 1987 (Act 332, as at 1 January 2006)

Copyright (Amendment) Act 2012 (Act A1420)

2. Private/Personal Use

Provision	s 13(2)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work, (typographical arrangement of a published edition) ¹⁹¹⁵ , (a broadcast) ¹⁹¹⁶
Entity exercising private/personal use	
Purpose of private/personal use	including research, private study
Condition of private/personal use	to determine if dealing constitutes fair dealing, the factors to be considered shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the dealing upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author (except where work is incidentally included in a broadcast) ¹⁹¹⁷
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(gg)
Scope of private/personal use	making a sound recording, in so far as it consists of sounds
Type(s) of source work(s)	a broadcast, or a literary, dramatic or musical work, sound recording or a film included in the broadcast, (a performance) ¹⁹¹⁸
Entity exercising private/personal use	
Purpose of private/personal use	private and domestic use of the person by whom the sound recording is made

¹⁹¹⁵ S 9(4).

¹⁹¹⁶ S 15(2).

¹⁹¹⁷ S 9(4) proviso.

¹⁹¹⁸ S 16A(3)(a)(i).

Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(ggg)
Scope of private/personal use	making a film, in so far as it consists of visual images
Type(s) of source work(s)	a broadcast, or a literary, artistic, dramatic or musical work, or a film included in the broadcast, (a performance) ¹⁹¹⁹
Entity exercising private/personal use	
Purpose of private/personal use	private and domestic use of the person by whom the film is made
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

3. Quotations

Provision	s 13(2)(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work, (typographical arrangement of a published edition) ¹⁹²⁰ , (a broadcast) ¹⁹²¹
Entity exercising quotation	
Purpose of quotation	including criticism, review
Condition of quotation	to determine if dealing constitutes fair dealing, the factors to be considered shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the dealing upon the potential market for or value of the work
Preclusions (not part of quotation)	

¹⁹¹⁹ S 16A(3)(a)(i).

¹⁹²⁰ S 9(4).

¹⁹²¹ S 15(2).

Subject to Attribution	title, author (except, in relation to a typographical arrangement, where work is incidentally included in a broadcast) ¹⁹²²
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 16A(3)(b)(ii)
Scope of quotation	a direct or indirect sound recording or film
Type(s) of source work(s)	a performance
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(m)
Scope of quotation	making of quotations
Type(s) of source work(s)	a published literary, musical or artistic work, a film, or a sound recording or a derivative work, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice extent of quotations does not exceed that justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("does not include the right to control")

4. Research/Educational Reproduction

Provision	s 13(2)(ff)
Scope of research/educational reproduction	any use
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to the candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of	a reprographic copy of a musical work shall not

¹⁹²² S 9(4) proviso.

research/educational reproduction)	be made for use by an examination candidate in performing the work
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(i)
Scope of research/educational reproduction	any use (e.g. performance, showing or playing)
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising reproduction	[inter alia] by such educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of educational reproduction	such use is in the public interest
Condition of reproduction	use is compatible with fair practice and the provisions of any regulations no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(g)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work included in a broadcast, (a broadcast) ¹⁹²³
Entity exercising reproduction	schools, universities or educational institutions
Purpose of educational reproduction	intended for [use by] such schools, universities or educational institutions,
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 13(2)(f)
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¹⁹²³ S 15(2).

Scope of anthologies/compilations limitation/exception	inclusion, in collection of literary or musical works
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	inclusion is made by way of illustration for teaching purposes
Condition of anthologies/compilations limitation/exception	inclusion is compatible with fair practice
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (as indicated in source)
Subject to Remuneration	not required ("does not include the right to control")

6. School Performances

Provision	s 13(2)(f)
Scope of school performance	inclusion, in a performance, showing, or playing to the public,
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	
Purpose of school performance	inclusion is made by way of illustration for teaching purposes
Condition of school performance	inclusion is compatible with fair practice
Preclusions (not part of school performance)	
Subject to Attribution	source, author (as indicated in source)
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(k)
Scope of school performance	performance, showing or playing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	a non-profit making club or institution
Purpose of school performance	performance, showing or playing is for charitable or educational purpose
Condition of school performance	no admission fee is charged in respect of such performance, showing or playing
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(i)
Scope of school performance	any use (e.g. performance, showing or playing)
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	[inter alia] by such public libraries and educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of school performance	such use is in the public interest
Condition of school performance	use is compatible with fair practice and the provisions of any regulations no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

7. Educational Broadcasts/Communications/Recordings

Provision	s 13(2)(i)
Scope of broadcast/communication/recording	any use [e.g. broadcasting, communication, recording]
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising broadcast/communication/recording	[inter alia] by such public libraries and educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of broadcast/communication/recording	such use is in the public interest
Condition of broadcast/communication/recording	use is compatible with fair practice and the provisions of any regulations no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 16A(3)(c)
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Scope of broadcast/communication/recording	indirect sound recording or film
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	by, or on behalf of, the body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of that institution or of another educational institution
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 16A(3)(a)(ii)
Scope of broadcast/communication/recording	a direct or an indirect sound recording or an indirect film
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	use in scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not include the right to control")

Provision	s 13(2)(f)
Scope of broadcast/communication/recording	inclusion, in a broadcast, sound recording, or film
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	inclusion is made by way of illustration for teaching purposes
Condition of broadcast/communication/recording	inclusion is compatible with fair practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (as indicated in source)
Subject to Remuneration	not required ("does not include the right to

	control")
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8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 31
Nature of compulsory licence for translation for educational purposes	non-exclusive, ¹⁹²⁴ non-transferable ¹⁹²⁵ compulsory licence, for translation into the national language or other vernacular languages in Malaysia, and publication of such translation in copies in Malaysia ¹⁹²⁶
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	a literary work written in any other language ¹⁹²⁷
Licence applicant/entity	any person
Purpose of licence	purpose of teaching, scholarship or research ¹⁹²⁸
Condition of licence	<p>work has not been previously translated into the national language of Malaysia or other vernacular languages and published by the owner of the right of translation, within 1 year of first publication, or if translation has been so published, all previous editions in that language are out of print¹⁹²⁹</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to any designated national or international information centre¹⁹³⁰</p> <p>a further period of 9 months has lapsed from date licence applicant complies with licence requirements¹⁹³¹</p> <p>no licence shall be granted if, during further period, a translation into the national language of Malaysia or other vernacular languages has been published by or with authorisation of owner¹⁹³²</p> <p>if work is composed mainly of illustrations, no licence shall be granted¹⁹³³</p> <p>author has not withdrawn from circulation copies</p>

¹⁹²⁴ S 31(2).

¹⁹²⁵ S 31(4).

¹⁹²⁶ S 31(5).

¹⁹²⁷ S 31(1).

¹⁹²⁸ S 31(3)(h).

¹⁹²⁹ S 31(3)(a).

¹⁹³⁰ S 31(3)(b)-(c).

¹⁹³¹ S 31(3)(g).

¹⁹³² S 31(3)(g).

¹⁹³³ S 31(7).

	<p>of the work¹⁹³⁴</p> <p>opportunity to be heard is given, to owner of right of translation¹⁹³⁵</p> <p>licensee is able to produce and publish a correct translation of the work and possesses the means to pay the royalties payable¹⁹³⁶</p> <p>on all copies of the published translation are printed: the name of author and original title,¹⁹³⁷ a notice in the national language Malaysia or other vernacular languages stating that the copy is available for distribution only in Malaysia,¹⁹³⁸</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work in the national language or other vernacular languages and with substantially the same content, at a price reasonably related to that normally charged in Malaysia for comparable works¹⁹³⁹</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of right of translation, at a rate to be determined by the Copyright Tribunal in the prescribed manner ¹⁹⁴⁰
Price of publication	
Distribution conditions	copies of translated work may not be exported, except if they are exported for Malaysian nationals, or of overseas organizations of Malaysian nationals, for purpose of teaching, scholarship or research, where the sending and distribution are without any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ¹⁹⁴¹
Grantor of compulsory licence	Copyright Tribunal

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 36A(2)(f)
Scope of TPM/RMI exception	circumvention of technological measure
Type(s) of source work(s)	a work in which copyright subsists [to which has been applied technological protection measures]

¹⁹³⁴ S 31(3)(e).

¹⁹³⁵ S 31(3)(f).

¹⁹³⁶ S 31(3)(d)(i).

¹⁹³⁷ S 31(3)(d)(ii).

¹⁹³⁸ S 31(5).

¹⁹³⁹ S 31(6).

¹⁹⁴⁰ S 31(2).

¹⁹⁴¹ S 31(4).

Beneficiary exercising exception	library, an archive or an educational institution
Purpose of exception	sole purpose of making an acquisition decision in relation to [the] work
Condition of exception	

Provision	s 36B(2)(b)
Scope of TPM/RMI exception	removal or alteration of any electronic rights management information
Type(s) of source work(s)	a work in which copyright subsists [to which has been applied electronic rights management information]
Beneficiary exercising exception	library, an archive or an educational institution
Purpose of exception	sole purpose of making an acquisition decision in relation to [the] work
Condition of exception	

Maldives

1. Legislation Reviewed

The Copyright & Related Rights Act

2. Private/Personal Use

Provision	s 12(a)
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹⁹⁴²
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹⁹⁴³ , any work where "reproduction would affect the normal proceedings the work may generate and could prejudice the legitimate interests of the author or other owner of the copyright", feature films, documentary films, dramas, video songs and other audiovisual presentations created for commercial use
Subject to Attribution	
Subject to Remuneration	not required ("without the authorization of the author or owner of copyright")

3. Quotations

Provision	s 14
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹⁹⁴⁴
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	

¹⁹⁴² S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

¹⁹⁴³ S 18 (excepting use of the computer program and for backup/archival purposes).

¹⁹⁴⁴ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

Subject to Attribution	source, author, form of publication (as far as practicable)
Subject to Remuneration	not required ("permitted without authorization of the author or other owner of copyright")

4. Research/Educational Reproduction

Provision	s 15
Scope of research/educational reproduction	reproduction and presentation as a quotation
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹⁹⁴⁵
Entity exercising reproduction	
Purpose of educational reproduction	reproduction for teaching
Condition of reproduction	reproduction is compatible with fair practice
Frequency/copies and limits	a limited portion of [the published work] reproduction does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author, form of publication (as far as practicable)
Subject to Remuneration	not required ("without the authorization of the author or other owner of copyright")

Provision	s 29(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purpose of face-face teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	performances and phonograms which have been published as teaching or instructional materials
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

Provision	s 29(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	

¹⁹⁴⁵ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 15
Scope of school performance	reproduction and "presentation" ¹⁹⁴⁶ as a quotation
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹⁹⁴⁷
Entity exercising school performance	
Purpose of school performance	reproduction for teaching
Condition of school performance	reproduction is compatible with fair practice a limited portion of [the published work] reproduction does not exceed the extent justified by the purpose
Preclusions (not part of school performance)	
Subject to Attribution	source, author, form of publication (as far as practicable)
Subject to Remuneration	not required ("without the authorization of the author or other owner of copyright")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁹⁴⁶ s 3(a) (referring to "presentation" in the context of "drama, musicals, stage performances, choreography, steps and other presentations and other works for stage productions" as well as "[f]eature films, documentary films, drama, video songs and other video - visual presentations and works"), which seems to be distinct from a separate right of "broadcasting the work" and "publicizing the work through other communicative media".

¹⁹⁴⁷ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

Mali

1. Legislation Reviewed

Law No. 08-024 of July 23, 2008 laying down the Regime of Literary and Artistic Property in the Republic of Mali

2. Private/Personal Use

Provision	Arts. 24(a)(1)
Scope of private/personal use	communications
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	private communications, carried out exclusively within the family circle
Condition of private/personal use	does not give rise to any form of income
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Arts. 24(b)
Scope of private/personal use	reproductions, translations, and adaptations
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use of the person making them
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	architectural works in the form of buildings or similar constructions, repographic reproduction of works of limited fine arts, musical work and exercise manuals in written form, publications that are only used once, all or substantial parts of databases, computer programs, ¹⁹⁴⁸ reproduction of a work that would prejudice the normal exploitation of the work or would unjustifiably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

3. Quotations

Provision	Art. 27(a)
Scope of quotation	analyzes and short quotations, in original or in translation

¹⁹⁴⁸ Art. 28 (excepting using computer software and for archival purposes).

Type(s) of source work(s)	a work already lawfully made available to the public, including article and periodicals in the form of press reviews
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice to the extent justified by the scientific, critical, educational or informational purposes
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("are permitted")

4. Research/Educational Reproduction

Provision	Art. 31.b
Scope of research/educational reproduction	reproduce by reprographic means
Type(s) of source work(s)	isolated articles lawfully published in a newspaper or periodical, short extracts from a lawfully published work or a short work lawfully published
Entity exercising reproduction	educational institutions whose activities do not serve direct or indirect commercial profit
Purpose of educational reproduction	teaching or examinations
Condition of reproduction	to the extent justified by the purpose
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 31.a
Scope of anthologies/compilations limitation/exception	use in publications
Type(s) of source work(s)	a lawfully published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as an illustration for teaching purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 24(a)(2)
Scope of broadcast/communication/recording	communications
Type(s) of source work(s)	a work lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	strictly educational, or religious school
Condition of broadcast/communication/recording	communications made free
Frequency/limits of broadcast/communication/recording	in rooms reserved for that purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 31.a
Scope of broadcast/communication/recording	use in broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as an illustration for teaching purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if available)
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 34(a)
Nature of compulsory licence for translation for educational purposes	licence, for translation, and publication of such translation in print or similar form in Mali
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works already lawfully made available to the public
Purpose of licence	
Condition of licence	any individual or legal resident in Mali
Compulsory licence fee(s)	
Price of publication	

Distribution conditions	
Grantor of compulsory licence	competent authority

Provision	Art. 34(b)
Nature of compulsory licence for reproduction for educational purposes	licence, for reproduction and publication of such translation in print or similar form
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign works already lawfully made available to the public
Purpose of licence	
Condition of licence	any individual or legal resident in Mali
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

9. TPM/RMI Exceptions for Educational Purposes

Malta

1. Legislation Reviewed

Copyright Act of 2000 (Chapter 415) as amended up to Act No. VIII of 2011

2. Private/Personal Use

Provision	Art. 9(1)(c)
Scope of private/personal use	reproductions on any medium
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁴⁹
Entity exercising private/personal use	a natural person
Purpose of private/personal use	private use
Condition of private/personal use	ends that are neither directly nor indirectly commercial
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹⁹⁵⁰
Subject to Attribution	
Subject to Remuneration	fair compensation, which takes account of the application or non-application or technological measures to the work or subject-matter concerned, for rightholders

Provision	Art. 9(1)(b)
Scope of private/personal use	reproductions on paper or any medium, effected by the use of any kind of photographic technique or by some other process having similar effects
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast), ¹⁹⁵¹ excluding sheet music
Entity exercising private/personal use	[includes a natural person]
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably

¹⁹⁴⁹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).¹⁹⁵⁰ Art. 9(3).¹⁹⁵¹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	prejudice the legitimate interests of the rightholder" ¹⁹⁵²
Subject to Attribution	
Subject to Remuneration	fair compensation due to rightholders

3. Quotations

Provision	Art. 9(1)(k)
Scope of quotation	reproduction, translation, distribution or communication to the public, of quotations
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁵³
Entity exercising quotation	
Purpose of quotation	such as criticism or review
Condition of quotation	relate to a work or other subject-matter which has already been lawfully made available to the public use is in accordance with fair practice, and to the extent required by the specific purposes
Preclusions (not part of quotation)	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁵⁴
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")

4. Research/Educational Reproduction

Provision	Art. 9(1)(d)
Scope of research/educational reproduction	specific acts of reproduction
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁵⁵
Entity exercising reproduction	[inter alia] educational establishments
Purpose of educational reproduction	
Condition of reproduction	not for direct or indirect economic or commercial advantage
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably

¹⁹⁵² Art. 9(3).

¹⁹⁵³ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹⁹⁵⁴ Art. 9(3).

¹⁹⁵⁵ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	prejudice the legitimate interests of the rightholder" ¹⁹⁵⁶
Subject to Attribution	
Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")

Provision	Art. 9(1)(b)
Scope of research/educational reproduction	reproductions on paper or any medium, effected by the use of any kind of photographic technique or by some other process having similar effects
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast), ¹⁹⁵⁷ excluding sheet music
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁵⁸
Subject to Attribution	
Subject to Remuneration	fair compensation due to rightholders

Provision	Art. 9(1)(h)
Scope of research/educational reproduction	reproduction, translation, distribution
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁵⁹
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of illustration for teaching or scientific research
Condition of reproduction	to the extent justified by the noncommercial purpose to be achieved
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁶⁰
Subject to Attribution	source, author (unless impossible)

¹⁹⁵⁶ Art. 9(3).

¹⁹⁵⁷ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹⁹⁵⁸ Art. 9(3).

¹⁹⁵⁹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹⁹⁶⁰ Art. 9(3).

Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")
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5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 9(1)(g)
Scope of school performance	performing, playing or showing
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁶¹
Entity exercising school performance	any club
Purpose of school performance	act by club whose aim is not profit making no admission fee is charged
Condition of school performance	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁶²
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 9(1)(h)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁶³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the noncommercial purpose to be achieved
Preclusions (not part of broadcast/communication/recording)	"applied in such particular cases which do not conflict with a normal exploitation of the work or

¹⁹⁶¹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).¹⁹⁶² Art. 9(3).¹⁹⁶³ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁶⁴
Subject to Attribution	source, author (unless infeasible)
Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")

Provision	Art. 9(1)(v)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹⁹⁶⁵
Entity exercising broadcast/communication/recording	[inter alia] educational establishments ¹⁹⁶⁶
Purpose of broadcast/communication/recording	research or private study, to individual members of the public by dedicated terminals on the premises of establishments
Condition of broadcast/communication/recording	works/subject-matter not subject to purchase or licensing terms, which are contained in their collections
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	"applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder" ¹⁹⁶⁷
Subject to Attribution	
Subject to Remuneration	not required ("shall not include the right to authorise or prohibit")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 42(2)(a)
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of copyright work to make available means to ensure for the "beneficiaries" the benefit of the exception/limitation
Type(s) of source work(s)	protected work/subject-matter
Beneficiary exercising exception	users who use work/subject-matter for, <i>inter alia</i> ,

¹⁹⁶⁴ Art. 9(3).

¹⁹⁶⁵ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹⁹⁶⁶ Art. 9(1)(d). Art. 9(1)(v) complements Art. 9(1)(d) in giving such establishments the exception or limitation to communicate works in their collection for educational purposes.

¹⁹⁶⁷ Art. 9(3).

	private use (Art. 9(1)(c)), educational establishments (Art. 9(1)(d)), teaching or scientific research (Art. 9(1)(h))
Purpose of exception	to the extent necessary to benefit from exception/limitation
Condition of exception	<p>beneficiary to have legal access to protected work/subject-matter</p> <p>no voluntary measure taken by the rightholder or exclusive licensee or agreement between the rightholder and the other party concerned, the purpose of which is to enable the beneficiary (or persons of a class to which the beneficiary belongs) to benefit from the exceptions specified in the above paragraph</p> <p>exception not applicable to copyright works made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them.</p>

Mauritania

1. Legislation Reviewed

Law of 11 March 1957 on literary and artistic property

2. Private/Personal Use

Provision	Art. 41.1
Scope of private/personal use	private performance
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	carried out exclusively within the family circle
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

Provision	Art. 41.2
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	strictly reserved for the private use of the copyist
Condition of private/personal use	not intended for collective use, with the exception of copies of works of art to be used for the same purpose for which the original work was created
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prohibit")

3. Quotations

Provision	Art. 41.3
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a disclosed work
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("author may not prohibit")

4. Research/Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Mauritius

1. Legislation Reviewed

Copyright Act 2014

2. Private/Personal Use

Provision	s 16
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a legally obtained published work, (a broadcast, performance/phonogram, sound recording) ¹⁹⁶⁸
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for his own personal use
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other construction, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹⁹⁶⁹
Subject to Attribution	
Subject to Remuneration	equitable remuneration shall be paid for private/personal use of work, performance, phonogram, videogram, publisher's edition ¹⁹⁷⁰ to the author or copyright owner or to Rights Management Society ¹⁹⁷¹

3. Quotations

Provision	s 18
Scope of quotation	quotation
Type(s) of source work(s)	a work, (a broadcast, performance/phonogram, sound recording) ¹⁹⁷² , that has lawfully been made available to the public
Entity exercising quotation	
Purpose of quotation	for caricature, parody or pastiche
Condition of quotation	quotation is compatible with fair practice, quotation does not exceed extent justified by the

¹⁹⁶⁸ S 36(d) (applying limitations and exceptions for copyright works to broadcasts, performances/phonograms, and sound recordings).

¹⁹⁶⁹ S 22 (excepting use of the computer program and for backup/archival purposes).

¹⁹⁷⁰ S 45(1)(a)(vi), (viii)(G), (ix)(E), (x)(B), (xi) (spelling out the rights of private/personal use of work/performance/phonogram/videogram/publisher's edition for which the Rights Management Society will collectively management).

¹⁹⁷¹ S 43 (establishing the Rights Management Society, to collectively management rights of authors and owners of copyright and related rights).

¹⁹⁷² S 36(d) (applying limitations and exceptions for copyright works to broadcasts, performances/phonograms, and sound recordings).

	purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorisation of the author or other owner of copyright")

4. Research/Educational Reproduction

Provision	s 19(1)(a)
Scope of research/educational reproduction	utilization
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹⁹⁷³
Entity exercising reproduction	
Purpose of educational reproduction	for scientific research purposes, [or for teaching]
Condition of reproduction	utilization is compatible with fair practice
Frequency/copies and limits	utilization does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if practicable) ¹⁹⁷⁴
Subject to Remuneration	not required ("without the authorisation of the author or other owner of copyright")

Provision	s 19(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works,
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities do not serve direct or indirect commercial gain no collective licence available by collective administration organisation of which educational institution is or should be aware
Frequency/copies and limits	reproduction of any particular work is an isolated one; if repeated, each occurrence on separate and unrelated occasions no more than a single copy for each pupil or student and the teacher is made
Preclusions (not part of research/educational reproduction)	

¹⁹⁷³ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹⁹⁷⁴ S 19(2).

Subject to Attribution	source, author (if practicable) ¹⁹⁷⁵
Subject to Remuneration	not required ("without the authorisation of the author or other owner of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 19(1)(a)
Scope of anthologies/compilations limitation/exception	by way of illustration, in publications
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹⁹⁷⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for scientific research purposes, or for teaching
Condition of anthologies/compilations limitation/exception	utilization is compatible with fair practice
Frequency/copies and limits	utilization does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if practicable) ¹⁹⁷⁷
Subject to Remuneration	not required ("without the authorisation of the author or other owner of copyright")

6. School Performances

Provision	s 19(1)(a)
Scope of school performance	utilization
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹⁹⁷⁸
Entity exercising school performance	
Purpose of school performance	for scientific research purposes, [or for teaching]
Condition of school performance	utilization is compatible with fair practice utilization does not exceed the extent justified by the purpose
Preclusions (not part of school performance)	
Subject to Attribution	source, author (if practicable) ¹⁹⁷⁹

¹⁹⁷⁵ S 19(2).

¹⁹⁷⁶ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹⁹⁷⁷ S 19(2).

¹⁹⁷⁸ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹⁹⁷⁹ S 19(2).

Subject to Remuneration	not required ("without the authorisation of the author or other owner of copyright")
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7. Educational Broadcasts/Communications/Recordings

Provision	s 19(1)(a)
Scope of broadcast/communication/recording	making available of such works in computer networks, where access to the works is only available to enrolled pupils or students and their teachers, ¹⁹⁸⁰ or by way of illustration, in broadcasting or sound or visual recordings
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹⁹⁸¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for scientific research purposes, or for teaching
Condition of broadcast/communication/recording	utilization is compatible with fair practice
Frequency/limits of broadcast/communication/recording	utilization does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if practicable) ¹⁹⁸²
Subject to Remuneration	not required ("without the authorisation of the author or other owner of copyright")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 37(3)
Scope of TPM/RMI exception	require rightholder who used technological protection measures in respect of his work to lift technological protection measures to ensure for the "beneficiaries" the benefit of the exception /limitation
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹⁹⁸³)
Beneficiary exercising exception	users who reproduce work/subject-matter for,

¹⁹⁸⁰ S 19(3).

¹⁹⁸¹ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹⁹⁸² S 19(2).

¹⁹⁸³ S 37(4), taken from EU Copyright Directive 2001/29, Art. 6(4).

	<i>inter alia</i> , private/personal use (s 16), for quotations (s 18), for teaching/scientific purposes (s 19)
Purpose of exception	to the extent necessary for the beneficiary to fully benefit from the limitation/exception
Condition of exception	

Mexico

1. Legislation Reviewed

Federal Law on Copyright (as amended up to July 14, 2014)¹⁹⁸⁴

2. Private/Personal Use

Provision	Arts. 148(IV), 151(IV)
Scope of private/personal use	reproduction
Type(s) of source work(s)	literary and artistic works that have already been disclosed, (performances, phonograms, videograms, broadcsts) ¹⁹⁸⁵
Entity exercising private/personal use	no legal entity except where it is an educational or research institution, or is not devoted to trading activities
Purpose of private/personal use	personal and private use of person making reproduction
Condition of private/personal use	without gainful intent no alteration is made to work
Frequency/copies and limits	one reproduction, and in a single copy
Preclusions (not part of private/personal use)	normal exploitation of the work is not adversely affected
Subject to Attribution	source
Subject to Remuneration	not required ("without remuneration"/"shall not constitute a violation of the [neighbouring rights]")

3. Quotations

Provision	Arts. 148(I), 151(IV)
Scope of quotation	quotation of texts
Type(s) of source work(s)	literary and artistic works that have already been disclosed, (performances, phonograms, videograms, broadcsts) ¹⁹⁸⁶
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	amount quoted may not be considered a substantial, simulated reproduction of the contents of the work no alteration is made to work
Preclusions (not part of quotation)	normal exploitation of the work is not adversely affected
Subject to Attribution	source

¹⁹⁸⁴ English translation reviewed as of 2013.

¹⁹⁸⁵ Art. 151(IV).

¹⁹⁸⁶ Art. 151(IV).

Subject to Remuneration	not required ("without remuneration"/"shall not constitute a violation of the [neighbouring rights]")
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4. Research/Educational Reproduction

Provision	Arts. 148(III), 151(IV)
Scope of research/educational reproduction	reproduction of parts
Type(s) of source work(s)	literary and artistic works that have already been disclosed, (performances, phonograms, videograms, broadcasts) ¹⁹⁸⁷
Entity exercising reproduction	
Purpose of educational reproduction	scientific, literary or artistic criticism and research
Condition of reproduction	no alteration is made to work
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	normal exploitation of the work is not adversely affected
Subject to Attribution	source
Subject to Remuneration	not required ("without remuneration"/"shall not constitute a violation of the [neighbouring rights]")

Provision	Art. 151
Scope of research/educational reproduction	use
Type(s) of source work(s)	performances, phonograms, videograms or broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	for educational or scientific research purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required" shall not constitute a violation of the [neighbouring rights]")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 151
Scope of school performance	use
Type(s) of source work(s)	performances, phonograms, videograms or broadcasts
Entity exercising school performance	
Purpose of school performance	for educational or scientific research purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required" shall not constitute a violation of the

¹⁹⁸⁷ Art. 151(IV).

	[neighbouring rights]"
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7. Educational Broadcasts/Communications/Recordings

Provision	Art. 151
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performances, phonograms, videograms or broadcasts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for educational or scientific research purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required" shall not constitute a violation of the [neighbouring rights]"

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Arts. 147, 151(IV)
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, videograms, broadcast ^s) ¹⁹⁸⁸
Purpose of licence	in the public interest where they are necessary for the advancement of science and national culture and education
Condition of licence	where it is not possible to obtain the consent of owner of corresponding economic rights licence either ex officio or at the request of a party
Compulsory licence fee(s)	payment of compensatory remuneration
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Federal Executive, through Secretariat of Public Education

Provision	Arts. 147, 151(IV)
Nature of compulsory licence for	compulsory licence, for publication

¹⁹⁸⁸ Art. 151(IV).

reproduction for educational purposes	
Facilities provided in Paris Act, Appendix	Art. 1 declaration lapsed after Oct 10, 1994
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, videograms, broadcasts) ¹⁹⁸⁹
Purpose of licence	in the public interest where they are necessary for the advancement of science and national culture and education
Condition of licence	where it is not possible to obtain the consent of owner of corresponding economic rights licence either ex officio or at the request of a party
Compulsory licence fee(s)	payment of compensatory remuneration
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Federal Executive, through Secretariat of Public Education

9. TPM/RMI Exceptions for Educational Purposes

¹⁹⁸⁹ Art. 151(IV).

Monaco

1. Legislation Reviewed

Law No. 491 of 24 November 1948 on the Protection of Literary and Artistic Property

2. Private/Personal Use

3. Quotations

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 16
Scope of anthologies/compilations limitation/exception	publication of borrowings
Type(s) of source work(s)	literary or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	publications have a scientific, academic character or are chrestomathies
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("It is permitted")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Mongolia

1. Legislation Reviewed

Law of Mongolia on Copyright and Related Rights (as last amended on January 19, 2006)

2. Private/Personal Use

Provision	Art. 24.1.8
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for private use
Condition of private/personal use	circumstances of use to be considered: to have a non-profit purpose, the extent of use and importance of the used parts, and value of the work and effect of the used part on the market ¹⁹⁹⁰ [similar to fair use]
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders” ¹⁹⁹¹
Subject to Attribution	source, author
Subject to Remuneration	not required (“shall not be deemed as copyright infringement”)

3. Quotations

Provision	Art. 24.1.2
Scope of quotation	quote, and to use parts
Type(s) of source work(s)	published works
Entity exercising quotation	
Purpose of quotation	for research works, criticisms and information
Condition of quotation	circumstances of use to be considered: to have a non-profit purpose, the extent of use and importance of the used parts, and value of the work and effect of the used part on the market ¹⁹⁹² [similar to fair use]
Preclusions (not part of quotation)	“works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders” ¹⁹⁹³
Subject to Attribution	source, author
Subject to Remuneration	not required (“shall not be deemed as copyright infringement”)

¹⁹⁹⁰ Art. 24.2.

¹⁹⁹¹ Art. 24.1.

¹⁹⁹² Art. 24.2.

¹⁹⁹³ Art. 24.1.

4. Research/Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Montenegro

1. Legislation Reviewed

Law No. 07-1/11-1/15 of July 12, 2011, on Copyright and Related Rights (promulgated by Decree No. 01-933/2 of July 25, 2011)

2. Private/Personal Use

Provision	Art. 52.1(1)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, ¹⁹⁹⁴ phonogram, ¹⁹⁹⁵ film ¹⁹⁹⁶ and published work ¹⁹⁹⁷)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	
Condition of private/personal use	on paper or other similar medium: by the use of an appropriate photographic technique or by other process producing similar effects on other medium: if the reproduction is done for private use, if the copies are not available to the public and if the reproduction is not done for direct or indirect economic advantage
Frequency/copies and limits	not more than 3 copies
Preclusions (not part of private/personal use)	architectural objects, reproduction of entire book or musical notation (unless copies of such book have been out of print for at least 2 years, or if reproduction of entire book/musical notation is done on “other medium”, ¹⁹⁹⁸ or reproduction of musical notation is made in handwriting), electronic database, computer program ¹⁹⁹⁹ , any work where “reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright”
Subject to Attribution	
Subject to Remuneration	photocopy, sound or visual fixation: remuneration payable by manufacturer/importer ²⁰⁰⁰ on first sale/importation of new appliances for sound/visual fixation and blank audio/video fixation media, and new appliances for

¹⁹⁹⁴ Art. 122.

¹⁹⁹⁵ Art. 129.

¹⁹⁹⁶ Art. 133.

¹⁹⁹⁷ Art. 138.

¹⁹⁹⁸ Art. 52 para. 1(1) subpara. 2 (providing for reproduction “on other medium if the reproduction is done for private use, if the copies are not available to the public and if the reproduction is not done for direct or indirect economic advantage”).

¹⁹⁹⁹ Art. 52 para. 2.

²⁰⁰⁰ Art. 37.

	photocopying and appliances with other technical reproduction procedures, ²⁰⁰¹ paid to a mandatory collective management organization, ²⁰⁰² for distribution among author of work, (performer, phonogram producer, film producer and publisher) ²⁰⁰³
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Provision	Art. 58(1), (3)
Scope of private/personal use	adapt
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	adaptation is of private or other internal nature, not intended for or available to the public, or adaptation is indispensable, according to purpose and use of the work
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

Provision	Art. 60
Scope of private/personal use	use
Type(s) of source work(s)	copyright works contained in collections of archives and libraries, museums and educational or scientific establishments, through dedicated terminals on their premises
Entity exercising private/personal use	a natural person
Purpose of private/personal use	research or personal study
Condition of private/personal use	use of such works is not subject to purchase or licensing terms
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

3. Quotations

²⁰⁰¹ Art. 36.

²⁰⁰² Art. 155.

²⁰⁰³ Arts. 122, 129, 133, 138.

Provision	Art. 53
Scope of quotation	quotations, in another main work
Type(s) of source work(s)	a disclosed work
Entity exercising quotation	
Purpose of quotation	quotation is used for the purpose of criticism, recognition, or reference
Condition of quotation	quotation is in accordance with fair practice quotation is used to extent required by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

4. Research/Educational Reproduction

Provision	Art. 52.1(2)
Scope of research/educational reproduction	reproduction, on any medium,
Type(s) of source work(s)	a disclosed work, (a performance, ²⁰⁰⁴ phonogram, ²⁰⁰⁵ film ²⁰⁰⁶ and published work ²⁰⁰⁷)
Entity exercising reproduction	a public archive, library, museum and educational or scientific establishment
Purpose of educational reproduction	
Condition of reproduction	reproduction is done from the copy owned by that legal entity for internal use reproduction is not done for direct or indirect economic advantage
Frequency/copies and limits	not more than 3 copies
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	photocopy, sound or visual fixation: remuneration payable by manufacturer/importer ²⁰⁰⁸ on first sale/importation of new appliances for sound/visual fixation and blank audio/video fixation media, and new appliances for photocopying and appliances with other technical reproduction procedures, ²⁰⁰⁹ paid to a mandatory collective management organization, ²⁰¹⁰ for distribution among author of work, (performer,

²⁰⁰⁴ Art. 122.

²⁰⁰⁵ Art. 129.

²⁰⁰⁶ Art. 133.

²⁰⁰⁷ Art. 138.

²⁰⁰⁸ Art. 37.

²⁰⁰⁹ Art. 36.

²⁰¹⁰ Art. 155.

	phonogram producer, film producer and publisher) ²⁰¹¹
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5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 46(1)
Scope of anthologies/compilations limitation/exception	use, in readers and textbooks that comprise works of several authors
Type(s) of source work(s)	parts of disclosed copyright works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	solely as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	permitted "provided they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." ²⁰¹²
Subject to Attribution	source, author (unless infeasible) ²⁰¹³
Subject to Remuneration	remuneration to be made

Provision	Art. 46(2)
Scope of anthologies/compilations limitation/exception	use, in readers and textbooks that comprise works of a number of several authors
Type(s) of source work(s)	a single disclosed copyright work of photography, fine arts, architecture, applied art, industrial design, and cartography
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	permitted "provided they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." ²⁰¹⁴
Subject to Attribution	source, author (unless infeasible) ²⁰¹⁵
Subject to Remuneration	remuneration to be made

²⁰¹¹ Arts. 122, 129, 133, 138.

²⁰¹² Art. 45 para. 1.

²⁰¹³ Art. 45 para. 4.

²⁰¹⁴ Art. 45 para. 1.

²⁰¹⁵ Art. 45 para. 4.

6. School Performances

Provision	Art. 51(2)
Scope of school performance	publicly perform
Type(s) of source work(s)	a disclosed work
Entity exercising school performance	
Purpose of school performance	at school events for the purpose of teaching (pre-school and school teaching, research, examination) and illustration
Condition of school performance	free admission performers receive no payment for their performance without any direct or indirect economic advantage
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 51(1)
Scope of broadcast/communication/recording	communication to the public, in the form of direct teaching
Type(s) of source work(s)	a disclosed work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (pre-school and school teaching, research, examination) and illustration
Condition of broadcast/communication/recording	done without any direct or indirect economic advantage
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

Provision	Art. 51(3)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	school radio or television broadcasts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (pre-school and school teaching, research, examination) and illustration
Condition of	done without any direct or indirect economic

broadcast/communication/recording	advantage
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of a remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 188
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of his work to make available appropriate means, to enforce limitations
Type(s) of source work(s)	work/subject-matter (but not applicable to technological measures which rightholders apply voluntarily, including the technological measures applied in implementation of agreements on the enforcement of limitations between rightholders and users or for the implementation of decisions in a collective dispute)
Beneficiary exercising exception	users who reproduce work/subject-matter for [purpose]
Purpose of exception	teaching in schools ²⁰¹⁶ , private and other internal reproduction ²⁰¹⁷
Condition of exception	upon request and without undue delay if rightholder fails to secure the necessary means, users may initiate a collective dispute

²⁰¹⁶ E.g., Arts. 46, 51, 52.

²⁰¹⁷ E.g., Arts.52, 58, 60.

Morocco

1. Legislation Reviewed

Law No. 2-00 on Copyright and Related Rights (promulgated by Dahir No. 1-00-20 of 9 Kaada 1420 (15 February 2000))

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ²⁰¹⁸
Entity exercising private/personal use	
Purpose of private/personal use	private use of user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings or other similar constructions, reprographic reproduction of whole book or musical score, whole or part of digital databases, computer program ²⁰¹⁹ , "any other reproduction of a work which appears to hamper the normal use of the work or would unjustifiably prejudice the author's legitimate interests"
Subject to Attribution	title (or other description), author (unless anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	not required ("without ... payment of a fee")

3. Quotations

Provision	Art. 14
Scope of quotation	cite, in another work
Type(s) of source work(s)	a lawfully published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	citation complies with correct use and scope does not exceed that justified by the aim to be achieved
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of a fee")

²⁰¹⁸ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

²⁰¹⁹ Art. 21 (excepting use of the computer program and for backup/archival purposes).

Provision	Art. 54(d)
Scope of quotation	citation
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	short fragments
Condition of quotation	citations are properly used citations are justified by their information aim
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without the payment of a fee")

4. Research/Educational Reproduction

Provision	Art. 15(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	individual articles lawfully published in a journal or periodical, short extracts of a lawfully published work or a lawfully published short work
Entity exercising reproduction	
Purpose of educational reproduction	for educational purposes or for examinations in educational institutions whose activities are not designed directly or indirectly to generate commercial profit
Condition of reproduction	
Frequency/copies and limits	to the extent justified by the aim to be achieved to a reasonable extent
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of a fee")

Provision	Art. 54(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purposes of scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without the payment of a fee")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 15(a)
Scope of anthologies/compilations	use, as an illustration in publications

limitation/exception	
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ²⁰²⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of a fee")

6. School Performances

Provision	Art. 23(b)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ²⁰²¹
Entity exercising school performance	
Purpose of school performance	as part of the activities of an educational institution for the staff and students of such an institution
Condition of school performance	provided the public [audience of the performance] consists solely of staff and students of the institution, or parents and supervisors, or other persons directly linked to the institution's activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of a fee")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 15(a)
Scope of broadcast/communication/recording	use, as an illustration in broadcasts, or sound or visual recordings
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ²⁰²²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational purposes

²⁰²⁰ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

²⁰²¹ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

²⁰²² Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 65.1
Scope of TPM/RMI exception	circumventing technological protection measures and rights management information, and exempting beneficiaries from damages under Art. 62 if they provide proof that they were not aware or had no reason to think that their acts constituted a prohibited activity
Type(s) of source work(s)	
Beneficiary exercising exception	libraries, archive services, educational institutions or public broadcasting organizations
Purpose of exception	to enable: - manufacture, import, sale, hiring etc. of device, system or means specially designed or adapted to render inoperable any device etc. used to prevent or restrict reproduction of a work, or diminish the quality of the copies produced ²⁰²³ - circumvention, suppression or restriction of any effective technological measure, or the manufacture, import, sale, hiring etc. of device etc. for the above ²⁰²⁴ - removal or alteration of any rights management information without authority, or the distribution or importation for distribution of rights management information in the knowledge that such information has been deleted or altered without authorization ²⁰²⁵ - distribution or importation, broadcast, communication to the public or making available to the public, of works, performance, phonograms or broadcasts in the knowledge that rights management information in such works/subject-matter has been deleted/altered without authorisation ²⁰²⁶

²⁰²³ Art. 65(a).

²⁰²⁴ Art. 65(d), (e).

²⁰²⁵ Art. 65(f), (g).

²⁰²⁶ Art. 65(h).

Condition of exception	
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Mozambique

1. Legislation Reviewed

Law No. 4/2001 of February 27, 2001 (Copyright Law, approved by Decree-Law No. 46.980 of April 27, 1966)

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	reproduce
Type(s) of source work(s)	a lawfully published work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the user's private purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture consisting of buildings or other similar constructions, reprographic reproduction of limited-edition 3D art, musical scores, exercise manuals and other publications, even if they are used only once, whole or large parts of databases, computer program ²⁰²⁷ , any other "reproduction of a work that might prejudice its normal exploitation or cause unjustified harm to the legitimate interests of the author."
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of remuneration")

Provision	Art. 21
Scope of private/personal use	reproduce
Type(s) of source work(s)	a legitimately published audiovisual work or the soundtrack of a work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private purposes of the user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration by way of payment by producers/importers of equipment and physical [media] used for reproduction, received by CMOs, to be distributed to authors, performers and phonogram producers ²⁰²⁸

²⁰²⁷ Art. 16 (excepting use of the computer program and for backup/archival purposes).

²⁰²⁸ Art. 21(2)-(5) (providing also that in the absence of agreement bet the representatives of producers and importers and CMOs, the amount of equitable remuneration and conditions of its payment shall be fixed as provided in the regulations).

Provision	Art. 46
Scope of private/personal use	reproduction
Type(s) of source work(s)	a phonogram
Entity exercising private/personal use	
Purpose of private/personal use	solely for the purposes of the user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration by way of payment by producers/importers of equipment and physical [media] used for reproduction, received by CMOs, to be distributed to performers and phonogram producers ²⁰²⁹

Provision	Art. 47(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration") (cf. equitable remuneration if a phonogram is reproduced as part of use ²⁰³⁰)

3. Quotations

Provision	Art. 10
Scope of quotation	quote, in another work
Type(s) of source work(s)	a legitimately published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	quotation conforms to normal custom and practice its extent does not exceed what is necessary to achieve its purpose

²⁰²⁹ Art. 46(2) (extending Art. 21(2)-(4) to the equitable remuneration of performers and producers of phonograms).

²⁰³⁰ To the extent that Art. 47(a) permits the private use of a performance, phonogram or broadcast, without remuneration, it must, by the rule of statutory interpretation, *generalia specialibus non derogant*, be displaced by Art. 46, which subjects the private use of a phonogram to remuneration by the producers and importers.

Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of remuneration")

Provision	Art. 47(d)
Scope of quotation	quotations
Type(s) of source work(s)	short extracts from a performance, a phonogram or a broadcast program
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations conform to custom and practice quotations justified by their informatory purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 11(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	isolated articles lawfully published in a newspaper or magazine or short extracts from a lawfully published work or short work
Entity exercising reproduction	
Purpose of educational reproduction	for educational purposes or for examinations within educational establishments whose activities are not directly or indirectly profit-making
Condition of reproduction	such use conforms to normal custom and practice
Frequency/copies and limits	to the extent justified by the aim to be achieved
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of remuneration")

Provision	Art. 47(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	exclusively for education and scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	

Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 11(a)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications, broadcasts or audio or video recordings
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ²⁰³¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of remuneration")

6. School Performances

Provision	Art. 19(b)
Scope of school performance	present or perform
Type(s) of source work(s)	a work that has been publicly disclosed and is not restricted, (a performance, phonogram, broadcast) ²⁰³²
Entity exercising school performance	performance is by the staff and students of an educational establishment
Purpose of school performance	in the context of the activities of the educational establishment
Condition of school performance	audience is composed exclusively of its staff and students, parents, tutors, those responsible for the education of children or other persons linked to the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

²⁰³¹ Art. 47(e) (applying exceptions in relation to works to related rights).

²⁰³² Art. 47(e) (applying exceptions in relation to works to related rights).

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 11(a)
Scope of broadcast/communication/recording	use, by way of illustration in broadcasts or audio or video recordings
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ²⁰³³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without ... payment of remuneration")

Provision	Art. 47(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exclusively for education and scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²⁰³³ Art. 47(e) (applying exceptions in relation to works to related rights).

Myanmar

1. Legislation Reviewed

Burma Copyright Act of 1911 (based on the U.K. Copyright Act, 1911 (1 & 2 Geo. 5, Ch. 46))

2. Private/Personal Use

Provision	s 2(1)(i)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	any work
Entity exercising private/personal use	
Purpose of private/personal use	private study, research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

3. Quotations

Provision	s 2(1)(i)
Scope of quotation	fair dealing
Type(s) of source work(s)	any work
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 2(1)(iv)
Scope of anthologies/compilations limitation/exception	publication in a collection
Type(s) of source work(s)	short passages from published literary works not themselves published for the use of schools in which copyright subsists
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement

	collection is mainly composed of non-copyright matter
Frequency/copies and limits	no more than 2 of such passages from works by same author are contained in collections by same publisher within 5 year period
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Namibia

1. Legislation Reviewed

Copyright and Neighbouring Rights Protection Act, 1994 (Act No. 6 of 1994)

2. Private/Personal Use

Provision	s 15(1)(a)
Scope of private/personal use	fair dealing in the use
Type(s) of source work(s)	a literary or musical work, (an artistic work, ²⁰³⁴ a film, ²⁰³⁵ a sound recording, ²⁰³⁶ a broadcast, ²⁰³⁷ a published edition, ²⁰³⁸ a computer program ²⁰³⁹)
Entity exercising private/personal use	
Purpose of private/personal use	research or private study by, or the personal or private use of, the person using the work
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright shall not be infringed")

Provision	s 50(2)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising private/personal use	
Purpose of private/personal use	private study or personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without the consent of the performer")

Provision	s 16
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	in such circumstances as are prescribed

²⁰³⁴ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

²⁰³⁵ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰³⁶ S 20 (applying s 15 exceptions *mutatis mutandis*).

²⁰³⁷ S 21 (applying s 15 exceptions *mutatis mutandis*).

²⁰³⁸ S 23 (applying s 15 exceptions *mutatis mutandis*).

²⁰³⁹ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	"in such a manner that the reproduction is not in conflict with a normal exploitation of the work and is not unreasonably prejudicial to the legitimate interests of the owner of the copyright"
Subject to Attribution	
Subject to Remuneration	not required ("shall also be permitted")

3. Quotations

Provision	s 15(1)(b)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary or musical work, (an artistic work, ²⁰⁴⁰ a film, ²⁰⁴¹ a sound recording, ²⁰⁴² a broadcast, ²⁰⁴³ a published edition, ²⁰⁴⁴ a computer program ²⁰⁴⁵)
Entity exercising quotation	
Purpose of quotation	criticism or review of the work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright shall not be infringed")

Provision	s 50(2)(b)
Scope of quotation	criticism or review
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising quotation	
Purpose of quotation	of the performance or any other performance
Condition of quotation	only short excerpts from the performance, to the extent justified by the purpose, are used
Preclusions (not part of quotation)	
Subject to Attribution	performer's name or names of the leading performers (where available)
Subject to Remuneration	not required ("without the consent of the performer")

Provision	s 15(3)
Scope of quotation	quotation
Type(s) of source work(s)	a literary or musical work which is lawfully available to the public, including a quotation from an article in a newspaper, magazine or similar

²⁰⁴⁰ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴¹ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴² S 20 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴³ S 21 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴⁴ S 23 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴⁵ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

	periodical that is in the form of a summary of that work, (a film, ²⁰⁴⁶ a sound recording, ²⁰⁴⁷ a broadcast, ²⁰⁴⁸ a computer program ²⁰⁴⁹)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("copyright ... shall not be infringed")

4. Research/Educational Reproduction

Provision	s 16
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	in such circumstances as are prescribed
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	"in such a manner that the reproduction is not in conflict with a normal exploitation of the work and is not unreasonably prejudicial to the legitimate interests of the owner of the copyright"
Subject to Attribution	
Subject to Remuneration	not required ("shall also be permitted")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 15(4)
Scope of anthologies/compilations limitation/exception	use, by way of illustration, in a publication
Type(s) of source work(s)	a literary or musical work, (an artistic work, ²⁰⁵⁰ a film, ²⁰⁵¹ a sound recording, ²⁰⁵² a broadcast, ²⁰⁵³ a published edition, ²⁰⁵⁴ a computer program ²⁰⁵⁵)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes

²⁰⁴⁶ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴⁷ S 20 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴⁸ S 21 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁴⁹ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁰ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵¹ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵² S 20 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵³ S 21 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁴ S 23 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁵ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	extent of such use does not exceed that justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("copyright ... shall not be infringed")

6. School Performances

Provision	s 50(2)(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without the consent of the performer")

7. Educational Broadcasts/Communications/Recordings

Provision	s 15(4)
Scope of broadcast/communication/recording	use, by way of illustration, in a broadcast or sound or visual recording
Type(s) of source work(s)	a literary or musical work, (an artistic work, ²⁰⁵⁶ a film, ²⁰⁵⁷ a sound recording, ²⁰⁵⁸ a broadcast, ²⁰⁵⁹ a published edition, ²⁰⁶⁰ a computer program ²⁰⁶¹)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	extent of such use does not exceed that justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)

²⁰⁵⁶ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁷ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁸ S 20 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁵⁹ S 21 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁶⁰ S 23 (applying s 15 exceptions *mutatis mutandis*).

²⁰⁶¹ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

Subject to Remuneration	not required ("copyright ... shall not be infringed")
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Provision	s 50(2)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without the consent of the performer")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Nepal

1. Legislation Reviewed

Copyright Act, 2059 (2002)

2. Private/Personal Use

Provision	s 16(1)
Scope of private/personal use	reproduction
Type(s) of source work(s)	some portion of any published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	architectural design erected as a building and other construction related design, significant portion of any book or musical notation, all or significant portion of database through digital transmission, computer program ²⁰⁶² "in a manner to be prejudicial to the economic right of the author or the copyright owner"
Subject to Attribution	
Subject to Remuneration	not required ("no authorization shall be required from the author or the copyright owner")

3. Quotations

Provision	s 17
Scope of quotation	citing for fair use
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	some portions of a published work
Preclusions (not part of quotation)	cited in a manner not to be prejudicial to the economic right of such author or owner
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the author or the copyright owner")

4. Research/Educational Reproduction

Provision	s 18(1)(a)
Scope of research/educational reproduction	reproduction, by way of citation, writing or audio-visual aid

²⁰⁶² S 17 (excepting use of the computer program and for backup/archival purposes).

Type(s) of source work(s)	any published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching and learning activities
Condition of reproduction	
Frequency/copies and limits	a small portion [of source work]
Preclusions (not part of research/educational reproduction)	"in a manner not to be prejudicial to the economic right of such author or owner"
Subject to Attribution	source, author
Subject to Remuneration	not required ("without authorization of the author or the copyright owner")

Provision	s 18(1)(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	any published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Condition of reproduction	
Frequency/copies and limits	some portions [of work] "in a manner not to be prejudicial to the economic right of such author or owner"
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without authorization of the author or the copyright owner")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 18(1)(b)
Scope of school performance	exhibit
Type(s) of source work(s)	any published work
Entity exercising school performance	
Purpose of school performance	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Condition of school performance	some portions [of work]
Preclusions (not part of school performance)	"in a manner not to be prejudicial to the economic right of such author or owner"
Subject to Attribution	source, author
Subject to Remuneration	not required ("without authorization of the author or the copyright owner")

7. Educational Broadcasts/Communications/Recordings

Provision	s 18(1)(b)
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Scope of broadcast/communication/recording	broadcast and exhibit
Type(s) of source work(s)	some portions of any published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	"in a manner not to be prejudicial to the economic right of such author or owner"
Subject to Attribution	source, author
Subject to Remuneration	not required ("without authorization of the author or the copyright owner")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Netherlands

1. Legislation Reviewed

Act of September 23, 1912, containing New Regulation for Copyright (Copyright Act 1912, as last revised by the Collective Act security and Justice of October 27, 2011)²⁰⁶³

2. Private/Personal Use

Provision	Art. 16b.1
Scope of private/personal use	reproduction that is limited to a few copies
Type(s) of source work(s)	a literary, scientific or artistic work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal practice, study or use
Condition of private/personal use	<p>without any direct or indirect commercial objective</p> <p>reproduction is made by natural person or ordered exclusively for his own benefit</p> <p>source work is a daily or weekly newspaper or weekly or other periodical, or a book or the score or parts of a musical work, and of works incorporated in said works: reproduction shall be limited to a small part of the work, except for works where it may reasonably be assumed that no new copies will be made available to third parties for payment of any kind, and short articles, news items or other texts, which have appeared in a daily or weekly newspaper or weekly or other periodical²⁰⁶⁴</p> <p>drawings, paintings, works of architecture and sculpture, lithographs, engravings and other graphic works: reproduction must differ appreciably from the original work, in size or as a result of the manner in which it was made²⁰⁶⁵</p> <p>copies made may not be handed to third parties without consent of author/successors in title, unless for judicial or administrative proceedings²⁰⁶⁶</p>
Frequency/copies and limits	

²⁰⁶³ Translation by Mireille van Eechoud in Chapter 17, ###. See also Quirijn Meijnen, Copyright law of the Netherlands, Dutch Copyright Act, Copyright Act of the Netherlands, May 16, 2015, <http://www.quirijnmeijnen.nl/2015/05/copyright-law-of-netherlands-copyright.html> and van Eechoud and Hendriks & James, The Dutch Copyright Act (2015), <http://www.hendriks-james.nl/auteurswet/>.

²⁰⁶⁴ Art. 16b.2.

²⁰⁶⁵ Art. 16b.3.

²⁰⁶⁶ Art. 16b.4.

Preclusions (not part of private/personal use)	works of architecture ²⁰⁶⁷ reproductions of a work or part of it on an article intended for causing a work to be heard or seen ²⁰⁶⁸
Subject to Attribution	
Subject to Remuneration	fair compensation due to author/successor in title ²⁰⁶⁹

Provision	Art. 16c
Scope of private/personal use	reproduction, on an article intended for causing it to be heard or seen
Type(s) of source work(s)	a literary, scientific or artistic work (or part of it)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for personal practice, study or use
Condition of private/personal use	without any direct or indirect commercial objective reproduction is made by natural person articles made may not be handed to third parties without consent of author/successors in title, unless for judicial or administrative proceedings ²⁰⁷⁰
Frequency/copies and limits	
Preclusions (not part of private/personal use)	collections of works, data or other independent materials arranged in a systematic or methodical way and individually accessible by electronic means ²⁰⁷¹
Subject to Attribution	
Subject to Remuneration	fair compensation ²⁰⁷² due by manufacturer/importer/seller ²⁰⁷³ of articles to CMO, ²⁰⁷⁴ for author/successor in title ²⁰⁷⁵

3. Quotations

Provision	Art. 15a
Scope of quotation	quote, including quotes in a language other than

²⁰⁶⁷ Art. 16b.6.

²⁰⁶⁸ Art. 16b.6.

²⁰⁶⁹ Art. 16b.5 (providing that further terms and conditions may be specified by Order in Council).

²⁰⁷⁰ Art. 16c.7.

²⁰⁷¹ Art. 16c.8 (excluding Art. 10.3 works).

²⁰⁷² Art. 16e (providing that level of fair compensation shall be determined by foundation designated by Minister of Justice). For a summary of the levies for 2015-2017, see English Information: Private Copying in the Netherlands, <http://www.cedar.nl/uploads/15/files/English%20information%20Private%20Copying%20in%20the%20Netherlands.pdf>.

²⁰⁷³ Art. 16ga (providing that seller is obliged to make payment if it cannot demonstrate that compensation has been paid by manufacturer or importer).

²⁰⁷⁴ Art. 16d.

²⁰⁷⁵ Art. 16c.2, .16c.3.

	the original, from (a), and press surveys of (b)
Type(s) of source work(s)	(a) a literary, scientific or artistic work or a piece with a comparable purpose, which has been lawfully made public, including (b) articles appearing in a daily or weekly newspaper or other periodical
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quoting is in accordance with what social custom regards as reasonably acceptable and the number and size of the quoted parts are justified by the purpose to be achieved
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if reasonably possible)
Subject to Remuneration	not required ("not regarded as an infringement of the copyright")

4. Research/Educational Reproduction

Provision	Art. 16.1, 16.2
Scope of research/educational reproduction	reproduction (or a translation) ²⁰⁷⁶ or "making public" ²⁰⁷⁷
Type(s) of source work(s)	parts of a literary, scientific or artistic work, lawfully made public, or a whole work (if it is a short work or a drawing, painting, work of architecture and sculpture, lithograph, engraving and other graphic work, ²⁰⁷⁸ photographic work ²⁰⁷⁹ or work of applied art and industrial design and model ²⁰⁸⁰)
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of illustration for teaching
Condition of reproduction	
Frequency/copies and limits	to extent justified by the intended and noncommercial purpose in accordance with what social custom regards as reasonably acceptable use
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if reasonably possible)
Subject to Remuneration	fair compensation to be paid to author/successors in title ²⁰⁸¹

²⁰⁷⁶ Art. 16.4 (providing that the provisions of this article also apply where the use is in a language other than the original).

²⁰⁷⁷ Art. 12.1 (defining "making public" as including the making public of a reproduction, distribution, rental or lending, recitation, playing, performance or presentation in public, and broadcasting of a work).

²⁰⁷⁸ Art. 10.1.6.

²⁰⁷⁹ Art. 10.1.9.

²⁰⁸⁰ Art. 10.1.11.

²⁰⁸¹ Art. 16.1.5.

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 16.3
Scope of anthologies/compilations limitation/exception	use (including use in a language other than the original) ²⁰⁸² , for a compilation
Type(s) of source work(s)	(a) short works or short passages of works by the same author, or (b) a drawing, painting, work of architecture and sculpture, lithograph, engraving and other graphic work, ²⁰⁸³ photographic work, ²⁰⁸⁴ or work of applied art and industrial design and model ²⁰⁸⁵
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	for (b): only a few of said works may be used and only if the reproductions differ appreciably from the original work, in size or as a result of the manner in which they are made, in the understanding that, where two or more such works were communicated to the public together, the reproduction of only one of them shall be permitted
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("Not regarded as an infringement of copyright")

6. School Performances

Provision	Art. 12.5
Scope of school performance	recitation, playing, performance or presentation in public
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	exclusively for the purposes of education provided on behalf of the public authorities or a non-profit-making legal person, or exclusively serve a scientific purpose
Condition of school performance	purposes of education: such a recitation,

²⁰⁸² Art. 16.4.²⁰⁸³ Art. 10.1.6.²⁰⁸⁴ Art. 10.1.9.²⁰⁸⁵ Art. 10.1.11.

	performance or presentation forms part of the school work plan or curriculum where applicable
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required (“The expression ‘recitation, playing, performance or presentation in public’ does not include...”)

Provision	Art. 16.1, 16.2
Scope of school performance	“making public” ²⁰⁸⁶ [includes recitation, playing, performance or presentation in public]
Type(s) of source work(s)	parts of a literary, scientific or artistic work, lawfully made public, or a whole work (if it is a short work or a drawing, painting, work of architecture and sculpture, lithograph, engraving and other graphic work, ²⁰⁸⁷ photographic work ²⁰⁸⁸ or work of applied art and industrial design and model ²⁰⁸⁹)
Entity exercising school performance	
Purpose of school performance	sole purpose of illustration for teaching
Condition of school performance	to extent justified by the intended and noncommercial purpose in accordance with what social custom regards as reasonably acceptable use
Preclusions (not part of school performance)	
Subject to Attribution	source, author (if reasonably possible)
Subject to Remuneration	fair compensation to be paid to author/successors in title ²⁰⁹⁰

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 16.1, 16.2
Scope of broadcast/communication/recording	“making public” ²⁰⁹¹ [includes presentation in public, broadcasting]
Type(s) of source work(s)	parts of a literary, scientific or artistic work, lawfully made public, or a whole work (if it is a short work or a drawing, painting, work of architecture and sculpture, lithograph, engraving and other graphic work, ²⁰⁹²

²⁰⁸⁶ Art. 12.1 (defining “making public” as including the making public of a reproduction, distribution, rental or lending, recitation, playing, performance or presentation in public, and broadcasting of a work).

²⁰⁸⁷ Art. 10.1.6.

²⁰⁸⁸ Art. 10.1.9.

²⁰⁸⁹ Art. 10.1.11.

²⁰⁹⁰ Art. 16.1.5.

²⁰⁹¹ Art. 12.1 (defining “making public” as including the making public of a reproduction, distribution, rental or lending, recitation, playing, performance or presentation in public, and broadcasting of a work).

²⁰⁹² Art. 10.1.6.

	photographic work ²⁰⁹³ or work of applied art and industrial design and model ²⁰⁹⁴)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching
Condition of broadcast/communication/recording	in accordance with what social custom regards as reasonably acceptable use
Frequency/limits of broadcast/communication/recording	to extent justified by the intended and noncommercial purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if reasonably possible)
Subject to Remuneration	fair compensation to be paid to author/successors in title ²⁰⁹⁵

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 29b
Scope of TPM/RMI exception	rules by Order in Council to require rightholder who used technological measures in respect of his work to provide means to the “beneficiaries” to benefit from limitations
Type(s) of source work(s)	a literary, scientific or artistic work (but not applicable to works available on agreed contractual terms to users from a place and at a time individually chosen by them ²⁰⁹⁶)
Beneficiary exercising exception	“beneficiaries”: users who reproduce work/subject-matter for, <i>inter alia</i> , illustration for teaching (Art. 16), for personal purposes (Arts. 16b, 16c).
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	beneficiary to have lawful access to work protected by technological measures

Notes: Art. 15c.2 (lending exemption for educational establishments and research institutes and their dependent libraries).

²⁰⁹³ Art. 10.1.9.

²⁰⁹⁴ Art. 10.1.11.

²⁰⁹⁵ Art. 16.1.5.

²⁰⁹⁶ Art. 29b.4, taken from EU Copyright Directive 2001/29, Art. 6(4).

New Zealand

1. Legislation Reviewed

New Zealand Copyright Act 1994 (No. 143) (reprint as at 1 January 2014)

2. Private/Personal Use

Provision	s 43
Scope of private/personal use	fair dealing, (by means of a reprographic process or by any other means) ²⁰⁹⁷
Type(s) of source work(s)	a work (including a published edition)
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if copying constitutes fair dealing, court shall have regard to: (a) the purpose of the copying; (b) the nature of work copied; (c) whether the work could have been obtained within a reasonable time at an ordinary commercial price; (d) the effect of the use upon the potential market for or value of the work. (e) where part of a work is copied, the amount and substantiality of the part copied taken in relation to the whole work.
Frequency/copies and limits	no more than 1 copy of the same work, or the same part of a work, on any one occasion
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 81A
Scope of private/personal use	copying
Type(s) of source work(s)	a sound recording (and the literary or musical work contained in it) – not a communication work or part of a communication work
Entity exercising private/personal use	owner of the sound recording
Purpose of private/personal use	used only for that owner's personal use or personal use of a member of the household in which owner lives, or both
Condition of private/personal use	sound recording is acquired by owner legitimately, is not an infringing copy, and is not borrowed or hired sound recording owner retains ownership of both

²⁰⁹⁷ s 43(3).

	sound recording and any copy made
Frequency/copies and limits	no more than 1 copy is made for each playing device owned by owner of sound recording
Preclusions (not part of private/personal use)	owner of sound recording is bound by contract that specifies the circumstances in which the sound recording may be copied
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

3. Quotations

Provision	s 42(1)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or not possible to ascertain identity for unpublished work) ²⁰⁹⁸
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 176
Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, of that or another performance or recording, or of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe any of the [neighbouring] rights")

4. Research/Educational Reproduction

Provision	s 44(1)
Scope of research/educational reproduction	copying, by means of a reprographic process or by any other means
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work or the

²⁰⁹⁸ S 2(1) (defining "sufficient acknowledgment").

	typographical arrangement of a published edition
Entity exercising reproduction	done by or on behalf of the person who is to give, or who is giving,
Purpose of educational reproduction	a lesson at an educational establishment, in the course of preparation for instruction, for use in the course of instruction, or in the course of instruction
Condition of reproduction	
Frequency/copies and limits	the whole or part of the work or edition no more than 1 copy of the whole or part of the work or edition is made on any one occasion copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁰⁹⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 44(2)
Scope of research/educational reproduction	copying, <i>not</i> by means of a reprographic process
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work or the typographical arrangement of a published edition
Entity exercising reproduction	by a person who is to give, is giving, or has given the lesson or by a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	in the course of preparation for instruction, for use in the course of instruction, or in the course of instruction, or after the course of instruction
Condition of reproduction	
Frequency/copies and limits	the whole or part of the work or edition 1 or more copies of the whole or part of the work or edition is or are made on any one occasion copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁰⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 44(3)
Scope of research/educational reproduction	copying, by means of a reprographic process or by any other means
Type(s) of source work(s)	part of the literary, dramatic, or musical work or

²⁰⁹⁹ S 93(2).

²¹⁰⁰ S 93(2).

	the typographical arrangement of a published edition, (or an artistic work is included as part of aforesaid work) ²¹⁰¹
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	an educational purpose
Condition of reproduction	no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received a lesson
Frequency/copies and limits	1 or more copies of part of the work or edition is or are made on any one occasion (on or after Jan. 1, 1998) no more than the greater of 3% of the work or edition or (3 pages of the work or edition or 50% of the whole work or edition, whichever is less) ²¹⁰² no copying under this exception of that part or any other part of same work within 14 days of previous copying ²¹⁰³ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁰⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	ss 45(1), 177(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a film, sound recording, or communication work, or any work included in a film, sound recording, or communication work, (a recording of a performance) ²¹⁰⁵
Entity exercising reproduction	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson, in
Purpose of educational reproduction	making of a film or film soundtrack
Condition of reproduction	in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction, no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson

²¹⁰¹ S 44(5).

²¹⁰² S 44(4) (qualifying the "greater of 3% of the work or 3 pages" rule).

²¹⁰³ S 44(6).

²¹⁰⁴ S 93(2).

²¹⁰⁵ S 177(1).

Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁰⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 45(3)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	any work that is a sound recording; or any work included in a sound recording
Entity exercising reproduction	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	in the learning of a language, or the lesson is conducted by correspondence copying is done in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction
Condition of reproduction	no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson no copying if licences under licensing scheme are available authorizing copying and person making copies knows of licences ²¹⁰⁷
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁰⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 177(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	in the learning of a language, or is conducted by correspondence

²¹⁰⁶ Ss 93(2), 180(1).

²¹⁰⁷ S 45(5).

²¹⁰⁸ S 93(2).

	copying is done in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction
Condition of reproduction	no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁰⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights... are not infringed")

Provision	s 177(2)(a)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	setting or answering the questions in an examination
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights... are not infringed")

Provision	s 177(2)(b)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	for purposes of an examination by way of communicating the questions to the candidates
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights... are not infringed")

Provision	s 49
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	

²¹⁰⁹ S 177(1).

Entity exercising reproduction	
Purpose of educational reproduction	an examination, whether by way of setting the questions, communicating the questions to the candidates, or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹¹⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright is not infringed")

Provision	s 44A
Scope of research/educational reproduction	storing, pursuant to making available on a website or other electronic retrieval system
Type(s) of source work(s)	a copy of the page(s) in which work appears ["the material"]
Entity exercising reproduction	educational establishment
Purpose of educational reproduction	for an educational purpose
Condition of reproduction	the material— (i) is displayed under a separate frame or identifier; and (ii) identifies the author (if known) and source of the work; and (iii) states the name of the educational establishment and the date on which the work was stored
Frequency/copies and limits	the material is restricted to use by "authenticated users" ²¹¹¹ educational establishment to delete the stored material within a reasonable time after the material becomes no longer relevant to the course of instruction for which it was stored ²¹¹² copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹¹³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

²¹¹⁰ S 93(2).

²¹¹¹ S 44A(3) (defining "authenticated user" as a person who is a participant in the course of instruction for which the material is stored, and can access the stored material only through a verification process).

²¹¹² S 44A(2) (providing that exception does not apply and educational establishment will infringe copyright if the educational establishment knowingly fails to delete the stored material within a reasonable time after the material becomes no longer relevant to the course of instruction for which it was stored).

²¹¹³ S 93(2).

Provision	s 48(1)(a)
Scope of research/educational reproduction	making of a copy
Type(s) of source work(s)	a "communication work" ²¹¹⁴
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	copy is made for the educational establishment's educational purposes
Condition of reproduction	no making if licences under licensing scheme are available authorizing copying/communication and educational establishment knows of licences ²¹¹⁵
Frequency/copies and limits	one copy copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹¹⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 48(1)(b)
Scope of research/educational reproduction	making and supply of a copy
Type(s) of source work(s)	a "communication work" ²¹¹⁷
Entity exercising reproduction	by educational resource supplier
Purpose of educational reproduction	copy is made and supplied for the educational establishment's educational purposes
Condition of reproduction	no making/supply if licences under licensing scheme are available authorizing copying/supply and educational resource supplier knows of licences ²¹¹⁸
Frequency/copies and limits	one copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 46
Scope of anthologies/compilations limitation/exception	copying, in a collection

²¹¹⁴ S 2(1) (defining a "communication work" as a transmission of sounds, visual images, or other information, or a combination of any of those, for reception by members of the public, and includes a broadcast or a cable programme).

²¹¹⁵ S 48(4)(a), (b).

²¹¹⁶ S 93(2).

²¹¹⁷ S 2(1) (defining a "communication work" as a transmission of sounds, visual images, or other information, or a combination of any of those, for reception by members of the public, and includes a broadcast or a cable programme).

²¹¹⁸ S 48(4)(a), (c).

Type(s) of source work(s)	a short passage from a published work (being a literary, dramatic, or musical work), not a computer program ²¹¹⁹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection for (any use for educational purposes) ²¹²⁰ in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists or in which copyright is owned by the publisher or the Crown publisher of source work did not intend it to be used in educational establishments
Frequency/copies and limits	no more than 2 passages from works by same author ²¹²¹ in collections by same publisher over any 5 year period ²¹²²
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous or not possible to ascertain identity for unpublished work) ²¹²³
Subject to Remuneration	not required ("does not infringe copyright")

6. School Performances

Provision	s 47(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic, or musical work
Entity exercising school performance	by a student or staff member in the course of the activities of the establishment; or by any person for the purposes of instruction at the establishment,
Purpose of school performance	
Condition of school performance	an audience consisting of persons who are students or staff members at an educational establishment or are "directly connected" ²¹²⁴ with the activities of the establishment
Preclusions (not part of school performance)	

²¹¹⁹ S 46(5).

²¹²⁰ S 46(4).

²¹²¹ S 46(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²¹²² S 46(2).

²¹²³ S 2(1) (defining "sufficient acknowledgment").

²¹²⁴ S 47(3) ("For the purposes of this section, a person shall not be treated as a person directly connected with the activities of an educational establishment by reason only that the person is a parent or guardian of a student at that educational establishment.").

Subject to Attribution	
Subject to Remuneration	not required ("not a performance in public")

Provision	s 177(2)(b)
Scope of school performance	anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising school performance	
Purpose of school performance	for purposes of an examination by way of communicating the questions to the candidates
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights... are not infringed")

Provision	ss 47(2), 178
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, communication work
Entity exercising school performance	
Purpose of school performance	for the purpose of instruction
Condition of school performance	an audience consisting of persons who are students or staff members at an educational establishment or are "directly connected" ²¹²⁵ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a performance in public"/"does not infringe any of the [neighbouring] rights")

Provision	ss 81, 186
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the

²¹²⁵ Ss 47(3), 178(2) ("For the purposes of this section, a person shall not be treated as a person directly connected with the activities of an educational establishment by reason only that the person is a parent or guardian of a student at that educational establishment.").

	place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright/any [neighbouring] right")

7. Educational Broadcasts/Communications/Recordings

Provision	s 44(4A)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work copied pursuant to s 44(3)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	to a person who is a student or other person who is to receive, is receiving, or has received, a lesson that relates to the work
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("may be communicated")

Provision	s 48(1)(a)
Scope of broadcast/communication/recording	communication of a copy, and subsequent communication (within the establishment) of the copy
Type(s) of source work(s)	a "communication work" ²¹²⁶
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	communication is made for the educational establishment's educational purposes
Condition of broadcast/communication/recording	no communication if licences under licensing scheme are available authorizing copying/communication and educational establishment knows of licences ²¹²⁷
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹²⁸

²¹²⁶ S 2(1) (defining a "communication work" as a transmission of sounds, visual images, or other information, or a combination of any of those, for reception by members of the public, and includes a broadcast or a cable programme).

²¹²⁷ S 48(4)(a), (b).

²¹²⁸ S 93(2).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 179
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	a communication work, or a copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any of the [neighbouring] rights")

Provision	s 177(2)(b)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for purposes of an examination by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights... are not infringed")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 226D
Scope of TPM/RMI exception	circumventing technological protection measure, and for making, importing, selling or letting for

	hire of a TPM circumvention device
Type(s) of source work(s)	TPM work (a copyright work that is protected by a technological protection measure) ²¹²⁹
Beneficiary exercising exception	an educational establishment as user of a TPM work
Purpose of exception	to enable beneficiary to exercise "permitted act" (e.g. copying and communication for educational purposes: ss 44, 45, 48, 179; for examinations: ss 49, 177; for school performances: ss 47, 178)
Condition of exception	

Provision	s 226D
Scope of TPM/RMI exception	circumventing technological protection measure, and for making, importing, selling or letting for hire of a TPM circumvention device
Type(s) of source work(s)	TPM work (a copyright work that is protected by a technological protection measure) ²¹³⁰
Beneficiary exercising exception	a librarian of a prescribed library, an archivist of an archive, an educational establishment or any other person specified by the Governor-General as a qualified person
Purpose of exception	to undertake encryption research ²¹³¹ on behalf of the user of a TPM work
Condition of exception	

Provision	s 226E(3)
Scope of TPM/RMI exception	circumventing technological protection measure, using a TPM circumvention device
Type(s) of source work(s)	
Beneficiary exercising exception	a person (i) engaged in a course of study at an educational institution in the field of encryption technology, or (ii) employed, trained, or experienced in the field of encryption technology
Purpose of exception	to undertake encryption research
Condition of exception	person has either obtained permission to use TPM circumvention device for purpose of research, or has taken/will take all reasonable steps to obtain that permission

²¹²⁹ S 226.

²¹³⁰ S 226.

²¹³¹ S 226D(2)(b).

Nicaragua

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (Law No.312/1999)

Decree No. 22/2000 and Amendments to Decree No. 22-2000 (Decree No. 24-2006)

Law on Amendments and Additions to Law No. 312 (Law No. 577/2006)

2. Private/Personal Use

Provision	Art. 31
Scope of private/personal use	reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal use only
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture that take the form of buildings or other similar buildings, reprographic reproduction of whole books or musical scores, whole or substantial part of databases, computer program ²¹³² , any other reproduction of a work that "could affect the normal exploitation of the work or which would otherwise unreasonably prejudice the legitimate interests of the author"
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 32
Scope of quotation	reproduction
Type(s) of source work(s)	a passage of works, as well as isolated photographs and pieces of art, that are disclosed
Entity exercising quotation	
Purpose of quotation	for analysis, comment or criticism
Condition of quotation	extent is justified by the desired purpose, in accordance with fair practices
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("It shall be lawful, without the authorization of the author")

4. Research/Educational Reproduction

²¹³² Art. 39 (excepting use of the computer program and for backup/archival purposes).

Provision	Art. 33
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	isolated articles published by the press or short passages of work, that have been published
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	teaching purposes
Condition of reproduction	reproduction takes place on educational institutions, without commercial purposes, direct or indirect
Frequency/copies and limits	extent is justified by the desired purpose, in accordance with fair practices
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if appears on work)
Subject to Remuneration	not required ("It shall be lawful, without the authorization of the author")

Provision	Art. 36
Scope of research/educational reproduction	annotation and collection
Type(s) of source work(s)	lectures or lessons given at educational establishments
Entity exercising reproduction	
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	publication or full or partial reproduction prohibited without the permission of the author

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 111(a)
Scope of TPM/RMI exception	non-infringing reverse engineering, in respect of specific elements of computer program that were not made available to reverse engineer
Type(s) of source work(s)	lawfully obtained copy of a computer program
Beneficiary exercising exception	reverse engineer
Purpose of exception	solely for the purpose of enabling interoperability of an independently created computer program with other programs

Condition of exception	reverse engineering carried out in good faith
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Provision	Art. 111(b)
Scope of TPM/RMI exception	non-infringing activities
Type(s) of source work(s)	lawfully obtained copy, performance or sample of an unfixed work, performance or phonogram
Beneficiary exercising exception	a duly qualified researcher
Purpose of exception	sole purpose of identifying and analyzing faults and vulnerabilities in the technologies to encrypt and decrypt the information
Condition of exception	activities carried out in good faith researcher has made a good faith effort to obtain authorization to carry out the said activities, as necessary

Provision	Art. 111(d)
Scope of TPM/RMI exception	non-infringing activities
Type(s) of source work(s)	
Beneficiary exercising exception	person authorized by owner of a computer or computer system or network
Purpose of exception	carried out for the sole purpose of testing, researching or remedying the security of this computer or computer system or network
Condition of exception	activities carried out in good faith

Provision	Art. 111 first
Scope of TPM/RMI exception	access to which beneficiary would not have been able to access otherwise
Type(s) of source work(s)	a work, performance or phonogram (as protected by effective technological measures)
Beneficiary exercising exception	a library, archive or non-profit educational institution
Purpose of exception	sole purpose of taking decisions regarding acquisitions
Condition of exception	

Niger

1. Legislation Reviewed

Decree No. 93-027 of March 30, 1993, on Copyright, Neighbouring Rights and Folklore

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	reproduce
Type(s) of source work(s)	a lawfully published work, (audiovisual work or soundtrack of a work ²¹³³ or phonogram ²¹³⁴)
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private use of the user
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings or other similar constructions, reproduction of works of fine art in a limited quantity, musical scores, exercise manuals and other publications used once only, whole or significant parts of databases, computer programs ²¹³⁵ , any reproduction of a work that “would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.”
Subject to Attribution	
Subject to Remuneration	(audiovisual work or soundtrack of a work or phonogram) equitable remuneration by way of payment made by producers and importers of equipment and physical material used for reproduction, to Copyright Office of Niger, for payment to authors, performers and phonogram producers ²¹³⁶

Provision	Art. 47(i)
Scope of private/personal use	use
Type(s) of source work(s)	a performance/phonogram, a broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal	

²¹³³ Art. 21.

²¹³⁴ Art. 46.

²¹³⁵ Art. 16 (excepting use of the computer program and for backup/archival purposes).

²¹³⁶ Arts. 21 (providing that in the absence of agreement between the representatives of the producers and importers and the Copyright Office of Niger, the amount of equitable remuneration and conditions of payment shall be fixed by the ordinary courts), 46 (equitable remuneration for private reproduction payable to performer and phonogram producer).

use)	
Subject to Attribution	
Subject to Remuneration	(audiovisual work or soundtrack of a work or phonogram) equitable remuneration by way of payment made by producers and importers of equipment and physical material used for reproduction, to Copyright Office of Niger, for payment to authors, performers and phonogram producers ²¹³⁷

3. Quotations

Provision	Art. 10
Scope of quotation	quote, in another work
Type(s) of source work(s)	lawfully published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation extent does not exceed that justified by the intended purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 47(iv)
Scope of quotation	quotations
Type(s) of source work(s)	short fragments from a performance, a phonogram or a broadcast program
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations comply with fair use quotations are justified by their informatory aim
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 11(ii)
Scope of research/educational reproduction	reproduce, by reprographic means
Type(s) of source work(s)	lawfully published individual articles from a

²¹³⁷ Arts. 21 (providing that in the absence of agreement between the representatives of the producers and importers and the Copyright Office of Niger, the amount of equitable remuneration and conditions of payment shall be fixed by the ordinary courts), 46 (equitable remuneration for private reproduction payable to performer and phonogram producer).

	newspaper or periodical, and short extracts from a lawfully published work or such a work, (a performance, a phonogram, a broadcast) ²¹³⁸
Entity exercising reproduction	
Purpose of educational reproduction	for teaching, or for examinations within teaching establishments
Condition of reproduction	activities are not directly or indirectly profit-making such use is compatible with fair practice.
Frequency/copies and limits	to the extent justified by the intended purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 11(i)
Scope of anthologies/compilations limitation/exception	use, as an illustration in publications
Type(s) of source work(s)	a lawfully published work, (a performance, a phonogram, a broadcast) ²¹³⁹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances

Provision	Art. 19(ii)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ²¹⁴⁰
Entity exercising school performance	
Purpose of school performance	as part of the activities of a teaching establishment for the staff and students of such an establishment
Condition of school performance	audience consists exclusively of the staff and

²¹³⁸ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

²¹³⁹ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

²¹⁴⁰ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

	students of the establishment or of the parents and supervisors of the students or other persons directly related to the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 11(i)
Scope of broadcast/communication/recording	use, as an illustration in broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, (a performance, a phonogram, a broadcast) ²¹⁴¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 47(iii)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance/phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for purposes of teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not required ("without payment of remuneration"))

²¹⁴¹ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Nigeria

1. Legislation Reviewed

Copyright Act (Chapter C.28, as codified 2004)

2. Private/Personal Use

Provision	Second Schedule, para. (a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	research, private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	if use is public: title, author (unless incidentally included in a broadcast)
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁴²), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁴³

Provision	Second Schedule, para. (r)
Scope of private/personal use	reproduction
Type(s) of source work(s)	an unpublished literary or musical work kept in a library, museum or other institutions to which the public has access
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁴⁴), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁴⁵

²¹⁴² Art. 40(5) (defining “materials”).

²¹⁴³ Art. 40; Copyright (Levy on Materials) Order 2012.

²¹⁴⁴ Art. 40(5) (defining “materials”).

²¹⁴⁵ Art. 40; Copyright (Levy on Materials) Order 2012.

3. Quotations

Provision	Second Schedule, para. (a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	if use is public: title, author (unless incidentally included in a broadcast)
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁴⁶), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁴⁷

4. Research/Educational Reproduction

Provision	Second Schedule, para. (h)
Scope of research/educational reproduction	any use made
Type(s) of source work(s)	a work
Entity exercising reproduction	an approved educational institution
Purpose of educational reproduction	for the educational purposes of that institution
Condition of reproduction	
Frequency/copies and limits	if a reproduction is made for any such purpose it shall be destroyed before the end of the prescribed period, or if there is no prescribed period, before the end of the period of twelve months after it was made
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁴⁸), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁴⁹

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Second Schedule, para. (f)
Scope of anthologies/compilations	inclusion, in a collection of literary or musical

²¹⁴⁶ Art. 40(5) (defining “materials”).

²¹⁴⁷ Art. 40; Copyright (Levy on Materials) Order 2012.

²¹⁴⁸ Art. 40(5) (defining “materials”).

²¹⁴⁹ Art. 40; Copyright (Levy on Materials) Order 2012.

limitation/exception	work
Type(s) of source work(s)	a literary or musical work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection designed for educational use
Condition of anthologies/compilations limitation/exception	collection is described as designed for educational use (in a statement on collection)
Frequency/copies and limits	more than 2 excerpts from the work
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁵⁰), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁵¹

6. School Performances

Provision	Second Schedule, para. (h)
Scope of school performance	any use made
Type(s) of source work(s)	a work
Entity exercising school performance	an approved educational institution
Purpose of school performance	for the educational purposes of that institution
Condition of school performance	if a reproduction is made for any such purpose it shall be destroyed before the end of the prescribed period, or if there is no prescribed period, before the end of the period of twelve months after it was made
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁵²), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁵³

7. Educational Broadcasts/Communications/Recordings

Provision	Second Schedule, para. (g)
Scope of broadcast/communication/recording	broadcasting

²¹⁵⁰ Art. 40(5) (defining "materials").

²¹⁵¹ Art. 40; Copyright (Levy on Materials) Order 2012.

²¹⁵² Art. 40(5) (defining "materials").

²¹⁵³ Art. 40; Copyright (Levy on Materials) Order 2012.

Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcast is approved by the broadcasting authority as an educational broadcast
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁵⁴), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁵⁵

Provision	Second Schedule, para. (g)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	any club whose aim is not profit making
Purpose of broadcast/communication/recording	in a place where no admission fee is charged in respect of the communication
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ²¹⁵⁶), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ²¹⁵⁷

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

²¹⁵⁴ Art. 40(5) (defining “materials”).

²¹⁵⁵ Art. 40; Copyright (Levy on Materials) Order 2012.

²¹⁵⁶ Art. 40(5) (defining “materials”).

²¹⁵⁷ Art. 40; Copyright (Levy on Materials) Order 2012.

Niue

1. Legislation Reviewed

New Zealand Copyright Act 1962 (in force through s 686, New Zealand Niue Act 1966)

2. Private/Personal Use

Provision	s 19(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, or musical work, other subject-matter (sound recordings, cinematograph films, TV broadcasts, sound broadcasts, published editions) ²¹⁵⁸
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("no fair dealing ... shall constitute an infringement of the copyright")

Provision	s 20(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("no fair dealing ... shall constitute an infringement of the copyright")

3. Quotations

Provision	s 19(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic, or musical work, other subject-matter (sound recordings, cinematograph films, TV broadcasts, sound broadcasts, published editions) ²¹⁵⁹
Entity exercising quotation	

²¹⁵⁸ s 19(5).

²¹⁵⁹ s 19(5).

Purpose of quotation	criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or not required) ²¹⁶⁰
Subject to Remuneration	not required ("no fair dealing ... shall constitute an infringement of the copyright")

Provision	s 20(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	an artistic work
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or not required) ²¹⁶¹
Subject to Remuneration	not required ("no fair dealing ... shall constitute an infringement of the copyright")

4. Research/Educational Reproduction

Provision	s 21
Scope of research/educational reproduction	making or supplying a copy
Type(s) of source work(s)	a published literary, dramatic, or musical work, or in a published edition of such a work, or in a published artistic work
Entity exercising reproduction	by or on behalf of a teacher at any University or school
Purpose of educational reproduction	purposes of research or private study
Condition of reproduction	copies supplied only to persons satisfying the teacher or a person on his behalf that they require them for purposes of research or private study and will not use them for any other purpose ²¹⁶² person to whom copies are supplied shall not be required to make a payment (including a contribution to the general expenses of the university, school) more than cost attributable to their production ²¹⁶³
Frequency/copies and limits	one copy

²¹⁶⁰ s 2(1).

²¹⁶¹ s 2(1).

²¹⁶² s 21(1)(a).

²¹⁶³ s 21(1)(d).

	except for an artistic work, no copy shall extend to more than a reasonable proportion of the work or edition in question or to more than one article in a periodical publication, unless two or more articles in the same publication relate to the one subject-matter ²¹⁶⁴
	no person to be furnished with more than one copy of the same artistic work, same article, or same part of any other work or edition ²¹⁶⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 21(4)(a)
Scope of research/educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work
Entity exercising reproduction	a teacher or student,
Purpose of educational reproduction	in the course of instruction, whether at a University or school or elsewhere or by correspondence
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 21(4)(b)
Scope of research/educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work
Entity exercising reproduction	a teacher or student,
Purpose of educational reproduction	as part of questions to be answered in an examination or in answer to such a question, in the course of instruction, whether at a University or school or elsewhere or by correspondence
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

²¹⁶⁴ s 21(1)(b).

²¹⁶⁵ s 21(1)(c).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 19(6)
Scope of anthologies/compilations limitation/exception	inclusion in a collection
Type(s) of source work(s)	a short passage of a published literary, dramatic, or musical work, or in a published edition of such a work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection intended for use in schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement source work/edition was not published for use of schools collection consists mainly of material in which no copyright subsists or in which copyright is owned by publisher or by the Crown must not exceed extent defined by legal provisions and bylaws in force
Frequency/copies and limits	not applicable if, in addition to passage in question, 2 or more excerpts from works by same author are contained in that or every similar collection by same publisher within 5 year period ²¹⁶⁶
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous or not required) ²¹⁶⁷
Subject to Remuneration	not required ("copyright ... is not infringed")

6. School Performances

Provision	s 13(6)
Scope of school performance	caused to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society, or other organisation which is not established or conducted for profit and whose main objects are charitable or are concerned with the advancement of religion, education, or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of

²¹⁶⁶ s 19(6) proviso.²¹⁶⁷ s 2(1).

	[entity]
Condition of school performance	no charge or proceeds of any charge are applied otherwise than for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of the copyright")

Provision	s 21(5)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic, or musical work
Entity exercising school performance	
Purpose of school performance	in the course of the activities of a University or school by a teacher or student in attendance at the University or school
Condition of school performance	in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or students in attendance at, the University or school, ²¹⁶⁸ or otherwise "directly connected" with the activities of the University or school ²¹⁶⁹
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 21(6)(b)
Scope of school performance	causing to be seen, or seen and heard
Type(s) of source work(s)	a cinematograph film
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	in the course of instruction at a University or school ²¹⁷⁰ or elsewhere
Preclusions (not part of school performance)	
Subject to Attribution	

²¹⁶⁸ s 21(8) (defining a school as "any primary or post-primary public or other registered school within the meaning of the Education Act 1914; and includes any teachers training college and any other educational institution not conducted for profit and approved by the Minister of Education for the purposes of this section"; a University to including "a University College and a University College of Agriculture").

²¹⁶⁹ s 21(5) proviso (providing that a person shall not be taken to be directly connected with the activities of a University or school by reason only that he is a parent or guardian of a student in attendance at the University or school).

²¹⁷⁰ s 21(8) (defining a school as "any primary or post-primary public or other registered school within the meaning of the Education Act 1914; and includes any teachers training college and any other educational institution not conducted for profit and approved by the Minister of Education for the purposes of this section"; a University to including "a University College and a University College of Agriculture").

Subject to Remuneration	not required ("copyright ... is not infringed")
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7. Educational Broadcasts/Communications/Recordings

Provision	s 21(6)(a)
Scope of broadcast/communication/recording	a recording or embodying in a record
Type(s) of source work(s)	the whole or part of a sound recording, cinematograph film, television broadcast, or sound broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	made for the purposes of instruction
Condition of broadcast/communication/recording	in the course of instruction at a University or school ²¹⁷¹ or elsewhere
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 21(6)(c)
Scope of broadcast/communication/recording	making a film or a recording
Type(s) of source work(s)	a television "school broadcast" ²¹⁷² or sound school broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	in the course of instruction at a University or school ²¹⁷³ or elsewhere
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

²¹⁷¹ s 21(8) (defining a school as "any primary or post-primary public or other registered school within the meaning of the Education Act 1914; and includes any teachers training college and any other educational institution not conducted for profit and approved by the Minister of Education for the purposes of this section"; a University to including "a University College and a University College of Agriculture").

²¹⁷² s 21(8) (defining a school broadcast as "any broadcast made for reception and use in school").

²¹⁷³ s 21(8) (defining a school as "any primary or post-primary public or other registered school within the meaning of the Education Act 1914; and includes any teachers training college and any other educational institution not conducted for profit and approved by the Minister of Education for the purposes of this section"; a University to including "a University College and a University College of Agriculture").

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Norway

1. Legislation Reviewed

Copyright Act (Act No. 2 of May 12, 1961, relating to Copyright in Literary, Scientific and Artistic Works) (consolidated version of 2015)

2. Private/Personal Use

Provision	s 12(1)
Scope of private/personal use	copies
Type(s) of source work(s)	a work [that is lawfully available], ²¹⁷⁴ (a performance, ²¹⁷⁵ database, ²¹⁷⁶ photographic picture, ²¹⁷⁷ sound fixations and films, ²¹⁷⁸ broadcast ²¹⁷⁹)
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	no outside assistance to a reproduction for musical works, cinematographic works, sculpture, pictorial weavings and articles of artistic handicraft and applied art, artistic reproduction of other works of art (disabled persons excepted) ²¹⁸⁰ copies cannot be made as the result of circumvention of technological protection measures (unless as part of use of playback devices) ²¹⁸¹
Frequency/copies and limits	in a single copy copies may not be used for other purposes
Preclusions (not part of private/personal use)	works of architecture (copying through construction of a building), art (photocopying, taking a cast or impression or by other similar means of reproduction if the copy may be perceived as an original), databases (machine-readable copies), computer programs (machine-readable copies)
Subject to Attribution	
Subject to Remuneration	fair compensation through annual grants via State Budget for authors ²¹⁸²

²¹⁷⁴ s 12 proviso (providing that "Copies cannot be made pursuant to this paragraph on the basis of a representation of the work in conflict with section 2").

²¹⁷⁵ s 42(5).

²¹⁷⁶ s 43(5).

²¹⁷⁷ s 43a(3).

²¹⁷⁸ s 45(4).

²¹⁷⁹ s 45a(5).

²¹⁸⁰ s 12(3).

²¹⁸¹ s 12(4) (referring to s 53a(3), second sentence).

²¹⁸² s 12(1) (providing that this is subject to further regulations governing the distribution of compensation).

3. Quotations

Provision	s 22
Scope of quotation	quoted
Type(s) of source work(s)	an issued work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	in accordance with proper usage and to the extent necessary to achieve the desired purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("may be quoted")

4. Research/Educational Reproduction

Provision	s 13a
Scope of research/educational reproduction	copies
Type(s) of source work(s)	a published work
Entity exercising reproduction	
Purpose of educational reproduction	use in a public examination
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration entitlement for originator of work

Provision	s 13b(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a published work
Entity exercising reproduction	[educational institutions] (optionally through fixation centres approved by the Ministry ²¹⁸³)
Purpose of educational reproduction	for use in own educational activities
Condition of reproduction	reproduction made pursuant to extended collective licence (s 36(1)) or a binding agreement made by the commission (s 38(4)) copies made may only be used in educational activities covered by agreement under s 36 ²¹⁸⁴
Frequency/copies and limits	subject to regulations concerning the storage and use of fixations issued by the King ²¹⁸⁵
Preclusions (not part of research/educational reproduction)	

²¹⁸³ s 13b(2).²¹⁸⁴ s 13b(3).²¹⁸⁵ s 13b(4).

Subject to Attribution	
Subject to Remuneration	remuneration prescribed by extended collective licence (s 36(1)) or a binding agreement (s 38(4)) payable to rightholders

Provision	s 16(1)
Scope of research/educational reproduction	copies
Type(s) of source work(s)	works
Entity exercising reproduction	archives, libraries and museums and educational and research institutions
Purpose of educational reproduction	for conservation and safety purposes and other special purposes
Condition of reproduction	non-commercial use
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 18
Scope of anthologies/compilations limitation/exception	reproducing, in a collective work consisting of works by a large number of authors
Type(s) of source work(s)	minor parts of literary or scientific works or musical works or short works of this kind, including works of art and photographic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for use in religious services or in education
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	5 years elapsed since expiry of year in which particular work was published/issued
Preclusions (not part of anthologies/compilations limitation/exception)	work created for use in education in a collective work compiled for the same purpose right to reproduction in machine-readable media
Subject to Attribution	
Subject to Remuneration	remuneration for author

Provision	s 23(1)
Scope of anthologies/compilations limitation/exception	reproduction, with text of a critical or scientific treatise which is not of a generally informative character
Type(s) of source work(s)	issued works of art and issued photographic works
Entity exercising anthologies/compilations limitation/exception	

Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	in accordance with proper usage and to the extent necessary to achieve the desired purpose
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	right to reproduction in machine-readable media, unless non-commercial reproduction
Subject to Attribution	
Subject to Remuneration	not required ("may be reproduced")

Provision	s 23(2)
Scope of anthologies/compilations limitation/exception	reproduction, in critical or scientific treatises of a generally informative character and in connection with the text in works intended for instructional use
Type(s) of source work(s)	an issued photographic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	in accordance with proper usage and to the extent necessary to achieve the desired purpose
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	right to reproduction in machine-readable media
Subject to Attribution	
Subject to Remuneration	payment of remuneration

6. School Performances

Provision	s 21(1)
Scope of school performance	public performance
Type(s) of source work(s)	a published work; a transferred copy of a work of art or a photographic work, or issuance of such a work
Entity exercising school performance	
Purpose of school performance	in an educational context
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("may be performed publicly")

Provision	s 21(2)(a)
Scope of school performance	public performance
Type(s) of source work(s)	a published work; a transferred copy of a work of art or a photographic work, or issuance of such a

	work
Entity exercising school performance	
Purpose of school performance	at events where the performance of literary, scientific or artistic works is not the primary feature
Condition of school performance	audience is admitted free of charge event is not even indirectly organized for purposes of gain
Preclusions (not part of school performance)	cinematographic works, stage performance of stage works, public performance of databases, performance of a work in a broadcast, transmission by wire or wireless means to the public, organized concerts ²¹⁸⁶
Subject to Attribution	
Subject to Remuneration	not required ("may also be performed publicly")

7. Educational Broadcasts/Communications/Recordings

Provision	s 13
Scope of broadcast/communication/recording	fixations
Type(s) of source work(s)	performances by teachers and pupils of works
Entity exercising broadcast/communication/recording	teachers and pupils
Purpose of broadcast/communication/recording	educational use
Condition of broadcast/communication/recording	such fixations shall not be used for other purposes
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("may make fixations")

Provision	s 13
Scope of broadcast/communication/recording	fixations
Type(s) of source work(s)	broadcasts
Entity exercising broadcast/communication/recording	schools and other educational institutions
Purpose of broadcast/communication/recording	time-deferred use
Condition of broadcast/communication/recording	as decided by the King
Frequency/limits of broadcast/communication/recording	

²¹⁸⁶ s 21(3).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("free of charge")

Provision	s 13b
Scope of broadcast/communication/recording	fixations
Type(s) of source work(s)	broadcasts (but not broadcast consisting of a cinematographic work which must be perceived as also intended for uses other than presentation via television, unless only minor parts of the work are used in the broadcast)
Entity exercising broadcast/communication/recording	[educational institutions] (optionally through fixation centres approved by the Ministry)
Purpose of broadcast/communication/recording	for use in educational activities
Condition of broadcast/communication/recording	fixation made pursuant to extended collective licence (s 36(1)) or a binding agreement made by the commission (s 38(4)) copies made may only be used in educational activities covered by agreement under s 36 subject to regulations concerning the storage and use of fixations
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	remuneration prescribed by extended collective licence (s 36(1)) or a binding agreement (s 38(4)) payable to rightholders

Provision	s 16(2)
Scope of broadcast/communication/recording	making available to individuals
Type(s) of source work(s)	works in collections
Entity exercising broadcast/communication/recording	archives, libraries, museums and educational institutions
Purpose of broadcast/communication/recording	for purpose of research or private study
Condition of broadcast/communication/recording	subject to regulations issued by the King
Frequency/limits of broadcast/communication/recording	using terminals on premises of entity
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 53a(3)
Scope of TPM/RMI exception	circumvention of effective technological protection measures
Type(s) of source work(s)	a protected work
Beneficiary exercising exception	
Purpose of exception	research into cryptology
Condition of exception	

Provision	s 53a(4)
Scope of TPM/RMI exception	circumvention of effective technological protection measures
Type(s) of source work(s)	works
Beneficiary exercising exception	archives, libraries and museums and educational and research institutions
Purpose of exception	for conservation and safety purposes and other special purposes pursuant to s 16
Condition of exception	non-commercial use

Provision	s 53b(1)
Scope of TPM/RMI exception	ordering rightholder who used effective technological protection measures in respect of his protected work, by Board to ensure "beneficiaries" can use the work; by providing such information that is necessary to enable work to be so used, failing which Board can entitle beneficiary to circumvent applied technological measures
Type(s) of source work(s)	work, excluding computer programs ²¹⁸⁷ and protected works by transmission made available to the public in such a way that the individual can choose the time and place of access to the work ²¹⁸⁸
Beneficiary exercising exception	"beneficiaries": users who use work for, <i>inter alia</i> , public examinations (s 13a), for conservation and safety purposes (s 16(1)), research or private study for individuals (s 16(2)), school performances (s 21)
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	

²¹⁸⁷ s 53b(4).

²¹⁸⁸ s 53b(3) per EU Copyright Directive 2001/29, Art. 6(4).

Oman

1. Legislation Reviewed

Royal Decree No. 65/2008 promulgating the Law on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 20.2
Scope of private/personal use	use
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	in meetings within family
Condition of private/personal use	within limits justified by such goal done with no direct or indirect compensation
Frequency/copies and limits	
Preclusions (not part of private/personal use)	free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ²¹⁸⁹
Subject to Attribution	source, author (if in source) ²¹⁹⁰
Subject to Remuneration	not required ("following uses of works shall be lawful ... a free use")

3. Quotations

Provision	Art. 20.1
Scope of quotation	quoting paragraphs, in another work
Type(s) of source work(s)	a protected work lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	for clarification, explanation, or criticism purposes
Condition of quotation	quotation to the extent of the desired purpose and justified by such goal
Preclusions (not part of quotation)	free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ²¹⁹¹
Subject to Attribution	source, author (if in source) ²¹⁹²
Subject to Remuneration	not required ("following uses of works shall be lawful ... a free use")

²¹⁸⁹ Art. 20 proviso.

²¹⁹⁰ Art. 20 proviso.

²¹⁹¹ Art. 20 proviso.

²¹⁹² Art. 20 proviso.

4. Research/Educational Reproduction

Provision	Art. 20.2
Scope of research/educational reproduction	use
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	through an educational institution for clarification during face-to-face educational or teaching purposes
Condition of reproduction	done with no direct or indirect compensation
Frequency/copies and limits	within limits justified by such goal
Preclusions (not part of research/educational reproduction)	free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ²¹⁹³
Subject to Attribution	source, author (if in source) ²¹⁹⁴
Subject to Remuneration	not required ("following uses of works shall be lawful ... a free use")

Provision	Art. 20.3(a)
Scope of research/educational reproduction	reproduction, by reprographic means
Type(s) of source work(s)	protected works: a published article or short work
Entity exercising reproduction	public libraries, non-commercial documentation centers, educational establishments and scientific and cultural institutions,
Purpose of educational reproduction	meet the need of a natural person for use in a study or research
Condition of reproduction	a single copy without the purpose of direct or indirect financial gain
Frequency/copies and limits	to the extent justified by the purpose and reproduction shall be for one time, or at varying intervals repeated reproduction (on separate and unrelated occasions), only where there is no collective license available under which such reproduction can be made
Preclusions (not part of research/educational reproduction)	free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ²¹⁹⁵

²¹⁹³ Art. 20 proviso.

²¹⁹⁴ Art. 20 proviso.

²¹⁹⁵ Art. 20 proviso.

Subject to Attribution	source, author (if in source) ²¹⁹⁶
Subject to Remuneration	not required ("following uses of works shall be lawful ... a free use")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 20.6(b)
Scope of school performance	public performance
Type(s) of source work(s)	a dramatic, musical or dramatic musical, choreographic, pantomime works or any other work, created for dramatic performance
Entity exercising school performance	
Purpose of school performance	face-to-face learning activities
Condition of school performance	in approved non-profit educational institutions, in classrooms or similar places dedicated to education performance not for direct or indirect financial gain
Preclusions (not part of school performance)	free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ²¹⁹⁷
Subject to Attribution	source, author (if in source) ²¹⁹⁸
Subject to Remuneration	not required ("following uses of works shall be lawful ... a free use")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²¹⁹⁶ Art. 20 proviso.

²¹⁹⁷ Art. 20 proviso.

²¹⁹⁸ Art. 20 proviso.

Pakistan

1. Legislation Reviewed

The Copyright Ordinance, 1962 (Act No. XXXIV) (as amended by Copyright (Amendment) Ordinance, 2000 dated 29 September 2000), (incorporating the Copyright (Amendment) Act 1992)

2. Private/Personal Use

Provision	s 57(1)(a)(i)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ²¹⁹⁹
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	deemed fair dealing with such work: <ul style="list-style-type: none"> • literary or dramatic work in prose: a single extract up to four hundred words, or a series of extracts (with comments interposed) up to a total of eight hundred words with no one extract exceeding three hundred words • a literary or dramatic work in poetry: an extract or extracts up to a total of forty lines and in no case exceeding one-fourth of the whole of any poem²²⁰⁰
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

3. Quotations

Provision	s 57(1)(a)(ii)
Scope of quotation	fair dealing, whether of that work or of any other work,
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ²²⁰¹
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	deemed fair dealing with such work: <ul style="list-style-type: none"> • literary or dramatic work in prose: a single extract up to four hundred words, or a series of extracts (with comments interposed) up to

²¹⁹⁹ S 57(2).

²²⁰⁰ s 57(1) explanation (i), (ii).

²²⁰¹ S 57(2).

	<p>a total of eight hundred words with no one extract exceeding three hundred words</p> <ul style="list-style-type: none"> • a literary or dramatic work in poetry: an extract or extracts up to a total of forty lines and in no case exceeding one-fourth of the whole of any poem <p>unless review is of a newly published work, whereupon reasonably longer extracts may be deemed fair dealing with such a work²²⁰²</p>
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous or author agreed that no acknowledgement be made) ²²⁰³
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

4. Research/Educational Reproduction

Provision	s 57(1)(h)
Scope of research/educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ²²⁰⁴
Entity exercising reproduction	a teacher or a pupil
Purpose of educational reproduction	
Condition of reproduction	<p>in the course and for the sole purpose of instruction, whether at an educational institution or elsewhere</p> <p>reproduction or adaptation otherwise than by the use of a printing process</p>
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

Provision	s 57(1)(h)(i), (ii)
Scope of research/educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ²²⁰⁵
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in answers to such questions
Condition of reproduction	
Frequency/copies and limits	

²²⁰² S 57(1) explanation.

²²⁰³ S 57(1) proviso.

²²⁰⁴ S 57(2).

²²⁰⁵ S 57(2).

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57(1)(g)
Scope of anthologies/compilations limitation/exception	publication, in a collection
Type(s) of source work(s)	short passages from published literary or dramatic works (or translation) ²²⁰⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of educational institutions
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection mainly composed of non-copyright matter works not themselves published for use in educational institutions
Frequency/copies and limits	no more than 2 excerpts from works by same author by same publisher within 5 year period ²²⁰⁷
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

6. School Performances

Provision	s 57(1)(i)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work, or a cinematographic work or a record (or translation) ²²⁰⁸
Entity exercising school performance	(performance a literary, dramatic or musical work by) staff and students of the institution
Purpose of school performance	course of the activities of an educational institution
Condition of school performance	audience is limited to such staff and students, the parents and guardians of the students and

²²⁰⁶ S 57(2).

²²⁰⁷ S 57(1)(g) (proviso, explanation).

²²⁰⁸ S 57(2).

	persons directly connected with the activities of the institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

Provision	s 57(1)(l)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work (or translation) ²²⁰⁹
Entity exercising school performance	an amateur club or society
Purpose of school performance	
Condition of school performance	non-paying audience, or for the benefit of a religious, charitable or educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 37
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ²²¹⁰ compulsory licence, for production and publication of a translation in any Pakistani language or a language ordinarily used in Pakistan not being English, French or Spanish
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a literary or dramatic work
Licence applicant/entity	licence applicant is a citizen of Pakistan or domiciled in Pakistan ²²¹¹
Purpose of licence	
Condition of licence	work has not been previously translated into the language in the licence application and published by the copyright owner within 1 year of first publication, or if translation has been so published, it is out of print ²²¹² licence applicant has requested and been denied

²²⁰⁹ S 57(2).

²²¹⁰ S 37(4).

²²¹¹ S 37(1).

²²¹² S 37(4)(a).

	<p>authorisation by copyright owner, or was unable to find owner after due diligence, and more than 2 months had lapsed²²¹³</p> <p>where practicable, an opportunity of copyright owner to be heard before a licence can be granted²²¹⁴</p> <p>licence applicant is competent to produce and publish a correct translation and possess the means to pay the copyright royalties due²²¹⁵</p> <p>Copyright Board to be satisfied that grant of licence will be in the public interest²²¹⁶</p>
Compulsory licence fee(s)	licence applicant to pay copyright owner royalties payable, in respect of copies of translation sold to the public, calculated at such rate as the Copyright Board may determine ²²¹⁷
Price of publication	licence application shall state the proposed retail price of a copy of the translation ²²¹⁸
Distribution conditions	
Grantor of compulsory licence	Copyright Board directing Registrar of Copyrights

9. TPM/RMI Exceptions for Educational Purposes

²²¹³ S 37(4)(b)-(c).

²²¹⁴ S 37(4)(f)

²²¹⁵ S 37(4)(d).

²²¹⁶ S 37(4)(g).

²²¹⁷ S 37(4).

²²¹⁸ S 37(2).

Panama

1. Legislation Reviewed

Law No. 64 of October 10, 2012, on Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 67
Scope of private/personal use	communication
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	in the domestic environment
Condition of private/personal use	no intention to profit, directly or indirectly
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not require payment of remuneration")

3. Quotations

Provision	Art. 70
Scope of quotation	quotations
Type(s) of source work(s)	lawfully published works
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotation extent is justified by desired purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 69.1
Scope of research/educational reproduction	reproduction by reprographic means
Type(s) of source work(s)	articles or short extracts of brief works that have been lawfully disclosed
Entity exercising reproduction	
Purpose of educational reproduction	exclusively for teaching or for the holding of examinations into educational institutions
Condition of reproduction	not for direct or indirect profit purposes use is justified by the desired objective, and on condition that such use is made in accordance with fair practice

Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without the authorization of the author")

Provision	Art. 67.4
Scope of research/educational reproduction	[activities carried out]
Type(s) of source work(s)	works in the permanent collection of the institution, excluding software licensed for use in computer systems
Entity exercising reproduction	in a research institution
Purpose of educational reproduction	only for research purposes
Condition of reproduction	without any profit
Frequency/copies and limits	carried via a closed or internal network, or on dedicated terminals at the headquarters of the research institution,
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not require payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 67.3
Scope of school performance	showing
Type(s) of source work(s)	[a work]
Entity exercising school performance	an educational institution, by the staff and students of such institution
Purpose of school performance	in the course of activities of an educational institution with exclusively educational purposes
Condition of school performance	no entry fees collected no purpose of profiting, directly or indirectly audience to be exclusively composed of the staff, students of the institutions or their parents, representatives or tutors, or other people directly linked with the activities of the institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("does not require payment of remuneration")

Provision	Art. 67.4
Scope of school performance	performance
Type(s) of source work(s)	
Entity exercising school performance	in a research institution
Purpose of school performance	only for research purposes
Condition of school performance	without any profit if carried via a closed or internal network, or on dedicated terminals at the headquarters of the research institution, works to be in the permanent collection of the institution
Preclusions (not part of school performance)	software
Subject to Attribution	
Subject to Remuneration	not required ("does not require payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 67.4
Scope of broadcast/communication/recording	[communication activities carried out]
Type(s) of source work(s)	works in the permanent collection of the institution, excluding software licensed for use in computer systems
Entity exercising broadcast/communication/recording	in a research institution
Purpose of broadcast/communication/recording	only for research purposes
Condition of broadcast/communication/recording	without any profit
Frequency/limits of broadcast/communication/recording	via a closed or internal network, or on dedicated terminals at the headquarters of the research institution
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not require payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 145.1
Scope of TPM/RMI exception	conducting research activities on
Type(s) of source work(s)	a lawfully obtained copy, performance or phonogram
Beneficiary exercising exception	an appropriately qualified researcher
Purpose of exception	to the extent necessary for the sole purpose of

	identifying and analyzing flaws and vulnerabilities of technologies for encoding and decoding information
Condition of exception	carried out in good faith researcher has made a good faith effort to obtain authorization for such activities

Provision	Art. 145.3
Scope of TPM/RMI exception	non-infringing reverse engineering activities, involving the circumvention of effective technological measures, carried out
Type(s) of source work(s)	a lawfully obtained copy of a computer program
Beneficiary exercising exception	person involved in reverse engineering
Purpose of exception	sole purpose of achieving interoperability of an independently created computer program with other programs
Condition of exception	carried out in good faith on particular elements of computer program that were not readily available to beneficiary

Provision	Art. 146.1
Scope of TPM/RMI exception	access to
Type(s) of source work(s)	a work, performance, or phonogram, not otherwise available to it because of technological measures
Beneficiary exercising exception	a nonprofit library, archive, or educational institution
Purpose of exception	for the sole purpose of making acquisition decisions
Condition of exception	

Papua New Guinea

1. Legislation Reviewed

Copyright and Neighbouring Rights Act 2000

2. Private/Personal Use

Provision	s 8
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, recording or broadcast) ²²¹⁹
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other construction, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ²²²⁰ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of copyright" ²²²¹
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the author or owner")

3. Quotations

Provision	s 10
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, recording or broadcast) ²²²²
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)

²²¹⁹ S 25(d) (applying the limitations and exceptions in Part II to neighbouring rights).

²²²⁰ S 14 (excepting use of the computer program and for backup/archival purposes). s 8 erroneously refers to this provision as s 13.

²²²¹ S 8(2)(e).

²²²² S 25(d) (applying the limitations and exceptions in Part II to neighbouring rights).

Subject to Remuneration	not required ("without authorisation of the author or other owner")
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4. Research/Educational Reproduction

Provision	s 11(1)(a)
Scope of research/educational reproduction	reproduction, by way of illustration, in sound or visual recordings
Type(s) of source work(s)	a short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes
Condition of reproduction	reproduction is compatible with fair practice
Frequency/copies and limits	does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on all copies if practicable) ²²²³
Subject to Remuneration	not required ("without authorisation of the author or other owner")

Provision	s 11(1)(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	published articles, short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain
Frequency/copies and limits	reproduction to the extent justified by the purposes reproduction is isolated; if repeated, each occurrence should be on separate and unrelated occasions no licence or other copyright available under which approval for reproduction can be made
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on all copies if practicable) ²²²⁴
Subject to Remuneration	not required ("without authorisation of the author or other owner of copyright")

Provision	s 12(a)
Scope of research/educational reproduction	reprographic reproduction

²²²³ S 11(2).

²²²⁴ S 11(2).

Type(s) of source work(s)	a published article, other short work or short extract of a work
Entity exercising reproduction	a “public institution” ²²²⁵ whose activities does not serve direct or indirect commercial gain
Purpose of educational reproduction	satisfy the request of a person for purposes of study, scholarship or private research, which the public institution must be satisfied ²²²⁶
Condition of reproduction	no licence or other authority available under which approval for such copies can be made ²²²⁷
Frequency/copies and limits	act of reproduction is an isolated one; if repeated, on separate and unrelated occasions ²²²⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“without the authorisation of the author or other owner”)

Provision	s 25(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, recording or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

Provision	s 25(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, recording or broadcast, except for performances and phonograms which have been published as teaching or instructional materials
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

²²²⁵ S 2 (defining a “public institution” as *including* a public library or archive, which means that an educational institution may be a public institution).

²²²⁶ S 12(a)(i).

²²²⁷ S 12(a)(iii).

²²²⁸ S 12(a)(ii).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings
Type(s) of source work(s)	a short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (on all copies if practicable) ²²²⁹
Subject to Remuneration	not required ("without authorisation of the author or other owner")

6. School Performances7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²²²⁹ S 11(2).

Paraguay

1. Legislation Reviewed

Law No. 1328/1998 on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 34
Scope of private/personal use	reproduction (or other form of use) by means of non-typographical technical apparatus
Type(s) of source work(s)	a work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for personal use (an individual's own use, in cases such as research and personal entertainment) ²²³⁰
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	reproduction of works in graphic form, videograms, phonograms, sound or audiovisual recording: compensatory remuneration, payable for equipment, apparatus and materials used for making the reproduction, payable to CMOs for distribution to owners of works, phonogram/videogram producers ²²³¹

Provision	Art. 38(1)
Scope of private/personal use	communication
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively domestic environment
Condition of private/personal use	no direct or indirect profit-making purpose
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

3. Quotations

Provision	Art. 40
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²²³⁰ Art. 2(46) (defining "personal use").

²²³¹ Arts. 34-37.

Scope of quotation	quotations
Type(s) of source work(s)	lawfully disclosed works
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are made in accordance with proper practice to the extent justified by the aim pursued
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without ... payment of any remuneration")

4. Research/Educational Reproduction

Provision	Art. 38(3)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	solely for teaching purposes by teaching staff at educational establishments
Condition of reproduction	
Frequency/copies and limits	single, personal copies
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

Provision	Art. 39(1)
Scope of research/educational reproduction	reproduction by reprographic means
Type(s) of source work(s)	articles or short extracts from lawfully published works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational establishments
Condition of reproduction	no gainful intent use is in keeping with proper practice
Frequency/copies and limits	only to the extent justified by the objective pursued
Preclusions (not part of research/educational reproduction)	reproduction allowed insofar as it "does not conflict with a normal exploitation of the work or does not unreasonably prejudice the legitimate interests of the author" ²²³²
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of

²²³² Art. 39(1) proviso.

	remuneration")
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5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Peru

1. Legislation Reviewed

Copyright Law (Legislative Decree No. 822 of April 23, 1996)

Law No. 30276 of November 13, 2014, amending the Copyright Law (Legislative Decree No. 822 of April 23, 1996)

2. Private/Personal Use

Provision	Art. 41(a)
Scope of private/personal use	communication
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ²²³³
Entity exercising private/personal use	
Purpose of private/personal use	exclusively domestic environment
Condition of private/personal use	no direct or indirect economic interest communication is not deliberately relayed outside by any means, either in its entirety or in part
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

Provision	Art. 43(b)
Scope of private/personal use	reprographic reproduction
Type(s) of source work(s)	short fragments or of works, (performances, phonograms, broadcasts) ²²³⁴ lawfully disclosed and published in graphic form that are out of print
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	"any use of works that competes with the author's exclusive right to exploit his work shall be equivalent to unlawful use" ²²³⁵
Subject to Attribution	
Subject to Remuneration	not required ("permitted without the author's consent")

Provision	Art. 48
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²²³³ Art. 129 (applying exceptions and limitations mutatis mutandis to neighbouring rights).

²²³⁴ Art. 129 (applying exceptions and limitations mutatis mutandis to neighbouring rights).

²²³⁵ Art. 43 proviso.

Scope of private/personal use	copies
Type(s) of source work(s)	works, performances, productions published as sound or audiovisual recordings
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal use of works
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole of book or musical notation or original or copy of 3-D work made and signed by author, a database or compilation
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 44
Scope of quotation	quotations
Type(s) of source work(s)	lawfully disclosed works, (performances, phonograms, broadcasts) ²²³⁶
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are made in accordance with proper practice quotations only to the extent justified by the aim pursued
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required

4. Research/Educational Reproduction

Provision	Art. 42
Scope of research/educational reproduction	annotation
Type(s) of source work(s)	public or private lectures by lecturers of universities, higher institutes of learning and colleges
Entity exercising reproduction	those to whom lectures are addressed
Purpose of educational reproduction	
Condition of reproduction	no person may disclose them or reproduce them in either a complete or a partial collection without the prior written consent of the authors
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	

²²³⁶ Art. 129 (applying exceptions and limitations mutatis mutandis to neighbouring rights).

Subject to Attribution	
Subject to Remuneration	

Provision	Art. 43(a)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles or brief extracts from lawfully published works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational institutions
Condition of reproduction	no gainful intent use made of them is consistent with proper practice use involves no sale or other transaction for consideration use has no direct or indirect profit-making purpose
Frequency/copies and limits	to the extent justified by the aim pursued
Preclusions (not part of research/educational reproduction)	"any use of works that competes with the author's exclusive right to exploit his work shall be equivalent to unlawful use" ²²³⁷
Subject to Attribution	
Subject to Remuneration	not required ("permitted without the author's consent")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 41(c)
Scope of school performance	communication ²²³⁸
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ²²³⁹

²²³⁷ Art. 43 proviso.

²²³⁸ Art. 2(5) (defining communication to the public as "any act whereby one or more persons, either gathered together in one place or not, are afforded access to the work without the prior distribution of copies to each one of them, by any analog or digital means or process that is or may yet become known for the purpose of disseminating signs, words, sounds or images; the entire process necessary to make the work accessible to the public constitutes communication"); and Art. 33 (defining "communication to the public" as including stage performance, recitals, public presentations and renderings of dramatic, dramatico-musical, literary and musical works by any means or process, whether with the live participation of the performers or received or generated by mechanical, etc., or processes or produced from a sound or audiovisual recording or from a digital representation or other source, public projection or showing of cinematographic and other audiovisual works, analog or digital transmission of any works by broadcasting or another means of wireless dissemination etc., whether or not simultaneously and whether or not against subscription or payment, public access to computer databases by means of telecommunication or any other means or process in so far as they incorporate or constitute protected works, and "in general, dissemination of signs, words, sounds or images by any means or process that is or may yet become known").

Entity exercising school performance	staff and students of educational institution
Purpose of school performance	exclusively educational purpose, in the course of the activities of a teaching institution
Condition of school performance	communication pursues no direct or indirect profit-making purpose audience is composed solely of the staff and students of the institution or parents or teachers of students and other persons directly associated with the institution's activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 41(c)
Scope of broadcast/communication/recording	communication ²²⁴⁰
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ²²⁴¹
Entity exercising broadcast/communication/recording	staff and students of educational institution
Purpose of broadcast/communication/recording	exclusively educational purpose, being <i>performed</i> in the course of the activities of a teaching institution
Condition of broadcast/communication/recording	communication pursues no direct or indirect profit-making purpose
Frequency/limits of broadcast/communication/recording	audience is composed solely of the staff and students of the institution or parents or teachers of students and other persons directly associated with the institution's activities
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... payment of any remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

²²³⁹ Art. 129 (applying exceptions and limitations mutatis mutandis to neighbouring rights).

²²⁴⁰ Art. 2(5) (defining communication to the public as "any act whereby one or more persons, either gathered together in one place or not, are afforded access to the work without the prior distribution of copies to each one of them, by any analog or digital means or process that is or may yet become known for the purpose of disseminating signs, words, sounds or images; the entire process necessary to make the work accessible to the public constitutes communication").

²²⁴¹ Art. 129 (applying exceptions and limitations mutatis mutandis to neighbouring rights).

Philippines

1. Legislation Reviewed

Republic Act No. 8293, Intellectual Property Code of the Philippines, as amended by Republic Act No. 10372, entitled 'An Act Amending Certain Provisions of Republic Act No. 8293, otherwise known as the 'Intellectual Property Code of the Philippines', and for other purposes'

2. Private/Personal Use

Provision	s 184.1(a)
Scope of private/personal use	recitation or performance
Type(s) of source work(s)	a lawfully published work, (a performance, ²²⁴² sound recording, ²²⁴³ broadcast ²²⁴⁴), made accessible to the public
Entity exercising private/personal use	
Purpose of private/personal use	done privately
Condition of private/personal use	free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

3. Quotations

Provision	s 184.1(b)
Scope of quotation	quotations
Type(s) of source work(s)	a published work, (a performance, ²²⁴⁵ sound recording, ²²⁴⁶ broadcast ²²⁴⁷), including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is only to the extent justified for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("shall not constitute infringement of

²²⁴² S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁴³ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁴⁴ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁴⁵ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁴⁶ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁴⁷ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

	copyright")
Provision	s 185.1
Scope of quotation	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ²²⁴⁸ sound recording, ²²⁴⁹ broadcast ²²⁵⁰),
Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use made of a work is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use ²²⁵¹
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

4. Research/Educational Reproduction

Provision	s 184.1(h)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a work, (a performance, ²²⁵² sound recording, ²²⁵³ broadcast ²²⁵⁴),
Entity exercising reproduction	by or under the direction or control of the Government, by the National Library or by educational, scientific or professional institutions
Purpose of educational reproduction	public interest
Condition of reproduction	compatible with fair use ²²⁵⁵
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

²²⁴⁸ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁴⁹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁵⁰ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁵¹ s 185.2.

²²⁵² S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁵³ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁵⁴ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁵⁵ S 185.1 (defining, in a different provision, "fair use" according to the factors spelt out).

Provision	s 185.1
Scope of research/educational reproduction	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ²²⁵⁶ sound recording, ²²⁵⁷ broadcast ²²⁵⁸),
Entity exercising reproduction	
Purpose of educational reproduction	teaching, including limited number of copies for classroom use, scholarship, research, and similar purposes
Condition of reproduction	to determine if use made of a work is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use ²²⁵⁹
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 184.1(e)
Scope of anthologies/compilations limitation/exception	inclusion, in a publication
Type(s) of source work(s)	a work, (a performance, ²²⁶⁰ sound recording, ²²⁶¹ broadcast ²²⁶²),
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration for teaching purposes
Condition of anthologies/compilations	compatible with fair use ²²⁶³

²²⁵⁶ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁵⁷ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁵⁸ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁵⁹ s 185.2.

²²⁶⁰ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁶¹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁶² S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁶³ S 185.1 (defining, in a different provision, "fair use" according to the factors spelt out).

limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

6. School Performances

Provision	s 184.1(a)
Scope of school performance	recitation or performance
Type(s) of source work(s)	a lawfully published work, (a performance, ²²⁶⁴ sound recording, ²²⁶⁵ broadcast ²²⁶⁶), made accessible to the public
Entity exercising school performance	
Purpose of school performance	made strictly for a charitable or religious institution or society
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 184.1(i)
Scope of school performance	public performance or communication to the public
Type(s) of source work(s)	a work, (a performance, ²²⁶⁷ sound recording, ²²⁶⁸ broadcast ²²⁶⁹),
Entity exercising school performance	a club or institution for charitable or educational purpose only, whose aim is not profit making
Purpose of school performance	
Condition of school performance	a place where no admission fee is charged in respect of such public performance or communication subject to such other limitations as may be provided in Regulations
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of

²²⁶⁴ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁶⁵ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁶⁶ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁶⁷ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁶⁸ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁶⁹ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

	copyright")
Provision	s 185.1
Scope of school performance	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ²²⁷⁰ sound recording, ²²⁷¹ broadcast ²²⁷²),
Entity exercising school performance	
Purpose of school performance	teaching, including limited number of copies for classroom use, scholarship, research, and similar purposes
Condition of school performance	to determine if use made of a work is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use ²²⁷³
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 184.1(e)
Scope of broadcast/communication/recording	inclusion, in a broadcast, or other communication to the public, sound recording or film
Type(s) of source work(s)	a work, (a performance, ²²⁷⁴ sound recording, ²²⁷⁵ broadcast ²²⁷⁶),
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching purposes
Condition of	compatible with fair use ²²⁷⁷

²²⁷⁰ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁷¹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁷² S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁷³ s 185.2.

²²⁷⁴ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁷⁵ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁷⁶ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁷⁷ S 185.1 (defining, in a different provision, "fair use" according to the factors spelt out).

broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 184.1(f)
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	a work, (a performance, ²²⁷⁸ sound recording, ²²⁷⁹ broadcast ²²⁸⁰), included in a broadcast
Entity exercising broadcast/communication/recording	schools, universities, or educational institutions
Purpose of broadcast/communication/recording	use of such schools, universities or educational institutions
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recording must be deleted within a reasonable period after they were first broadcast
Preclusions (not part of broadcast/communication/recording)	recording may not be made from audiovisual works which are part of the general cinema repertoire of feature films except for brief excerpts of the work
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 184.1(h)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a work, (a performance, ²²⁸¹ sound recording, ²²⁸² broadcast ²²⁸³),
Entity exercising broadcast/communication/recording	by or under the direction or control of the Government, by the National Library or by educational, scientific or professional institutions
Purpose of broadcast/communication/recording	public interest
Condition of broadcast/communication/recording	compatible with fair use ²²⁸⁴
Frequency/limits of	

²²⁷⁸ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁷⁹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁸⁰ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁸¹ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁸² S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁸³ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁸⁴ S 185.1 (defining, in a different provision, "fair use" according to the factors spelt out).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute infringement of copyright")

Provision	s 185.1
Scope of broadcast/communication/recording	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ²²⁸⁵ sound recording, ²²⁸⁶ broadcast ²²⁸⁷),
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching, including classroom use, scholarship, research, and similar purposes
Condition of broadcast/communication/recording	to determine if use made of a work is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use ²²⁸⁸
Frequency/limits of broadcast/communication/recording	limited number of copies for classroom use, scholarship, research, and similar purposes [sic]
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of copyright")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

²²⁸⁵ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

²²⁸⁶ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

²²⁸⁷ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

²²⁸⁸ s 185.2.

Poland

1. Legislation Reviewed

Act No. 83 of February 4, 1994, on Copyright and Neighboring Rights (as amended up to October 21, 2010)

2. Private/Personal Use

Provision	Art. 23.1
Scope of private/personal use	use
Type(s) of source work(s)	a work, (performance, phonogram, videogram and programme broadcast, first edition or scientific and critical edition), ²²⁸⁹ having been already disseminated
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	
Frequency/copies and limits	includes single copies of works by a circle of people having personal relationships, and in particular any consanguinity, affinity or social relationship
Preclusions (not part of private/personal use)	building constructions according to other authors' architectural works, architectural and urban planning works, use electronic databases possessing features of a piece of work (unless this applies to one's own scientific use not connected with any profit-gaining purposes) permissible use "must not infringe the normal use of the work or violate the rightful interests of the author" ²²⁹⁰
Subject to Attribution	source, author ²²⁹¹
Subject to Remuneration	not required ("free of charge")

3. Quotations

Provision	Art. 29.1
Scope of quotation	quote, in works constituting an independent whole
Type(s) of source work(s)	fragments of disseminated works or minor works in full, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions) ²²⁹²
Entity exercising quotation	

²²⁸⁹ Art. 100.

²²⁹⁰ Art. 35.

²²⁹¹ Art. 34.

²²⁹² Art. 100.

Purpose of quotation	within the scope justified by explanation, critical analysis, teaching or the rights governing a given kind of creative activity
Condition of quotation	
Preclusions (not part of quotation)	permissible use "must not infringe the normal use of the work or violate the rightful interests of the author" ²²⁹³
Subject to Attribution	source, author ²²⁹⁴
Subject to Remuneration	not required ("shall be permitted")

4. Research/Educational Reproduction

Provision	Art. 27
Scope of research/educational reproduction	use, and make copies
Type(s) of source work(s)	fragments of disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ²²⁹⁵ in original and in translation
Entity exercising reproduction	research and educational institutions
Purpose of educational reproduction	teaching purposes or in order to conduct their own research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	permissible use "must not infringe the normal use of the work or violate the rightful interests of the author" ²²⁹⁶
Subject to Attribution	source, author ²²⁹⁷
Subject to Remuneration	not required ("shall be allowed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 29.2
Scope of anthologies/compilations limitation/exception	include, in textbooks and reading books
Type(s) of source work(s)	disseminated minor works or excerpts from larger works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions) ²²⁹⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching and research reasons
Condition of anthologies/compilations	

²²⁹³ Art. 35.

²²⁹⁴ Art. 34.

²²⁹⁵ Art. 100.

²²⁹⁶ Art. 35.

²²⁹⁷ Art. 34.

²²⁹⁸ Art. 100.

limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ²²⁹⁹
Subject to Attribution	source, author ²³⁰⁰
Subject to Remuneration	lower remuneration rates payable by educational institutions using works and objects of related rights as part of their statutory activity (without material profits), to author ²³⁰¹

Provision	Art. 29.2 ¹
Scope of anthologies/compilations limitation/exception	include, in anthologies
Type(s) of source work(s)	minor works of fragments or larger works which have already been disseminated, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ²³⁰²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching or research purposes
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ²³⁰³
Subject to Attribution	source, author ²³⁰⁴
Subject to Remuneration	lower remuneration rates payable by educational institutions using works and objects of related rights as part of their statutory activity (without material profits), to author ²³⁰⁵

6. School Performances

Provision	Art. 31
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²²⁹⁹ Art. 35.

²³⁰⁰ Art. 34.

²³⁰¹ Art. 110¹².5 provides that CMOs shall specify lower remuneration rates for entities conducting cultural activities and for educational institutions using works and objects of related rights as part of their statutory activity, unless such use results in obtaining material profits. These rates in tables of remuneration have to be approved by the Copyright Commission.

²³⁰² Art. 100.

²³⁰³ Art. 35.

²³⁰⁴ Art. 34.

²³⁰⁵ Art. 110¹².5 provides that CMOs shall specify lower remuneration rates for entities conducting cultural activities and for educational institutions using works and objects of related rights as part of their statutory activity, unless such use results in obtaining material profits. These rates in tables of remuneration have to be approved by the Copyright Commission.

Scope of school performance	perform in public
Type(s) of source work(s)	any disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions) ²³⁰⁶
Entity exercising school performance	
Purpose of school performance	school and academic events
Condition of school performance	perform gratuitously not, directly or indirectly, connected with any material benefits artists do not receive any remuneration, except for any advertising, promotional or election events
Preclusions (not part of school performance)	permissible use "must not infringe the normal use of the work or violate the rightful interests of the author" ²³⁰⁷
Subject to Attribution	source, author ²³⁰⁸
Subject to Remuneration	not required ("shall be permitted")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 27
Scope of broadcast/communication/recording	use, and make copies
Type(s) of source work(s)	fragments of disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ²³⁰⁹ in original and in translation
Entity exercising broadcast/communication/recording	research and educational institutions
Purpose of broadcast/communication/recording	teaching purposes or in order to conduct their own research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	permissible use "must not infringe the normal use of the work or violate the rightful interests of the author" ²³¹⁰
Subject to Attribution	source, author ²³¹¹
Subject to Remuneration	not required ("shall be allowed")

²³⁰⁶ Art. 100.

²³⁰⁷ Art. 35.

²³⁰⁸ Art. 34.

²³⁰⁹ Art. 100.

²³¹⁰ Art. 35.

²³¹¹ Art. 34.

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Portugal

1. Legislation Reviewed

Code of Copyright and Related Rights (as last amended by Law No. 16/2008 of April 1, 2008)

2. Private/Personal Use

Provision	Art. 75.2(a)
Scope of private/personal use	reproduction, on paper or similar medium, by photographic technique or process with similar results
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for private purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	sheet music such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³¹²
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³¹³
Subject to Remuneration	equitable remuneration by entity that carried out the reproduction, payable to author, “and in analog scope [sic], to the editor[sic]” ²³¹⁴

Provision	Art. 75.2(a)
Scope of private/personal use	reproduction on any medium
Type(s) of source work(s)	
Entity exercising private/personal use	a single person
Purpose of private/personal use	private use
Condition of private/personal use	without direct or indirect commercial purposes
Frequency/copies and limits	
Preclusions (not part of private/personal use)	such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³¹⁵
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³¹⁶
Subject to Remuneration	equitable remuneration by entity that carried out the reproduction, payable to author, “and in analog scope [sic], to the editor[sic]” ²³¹⁷

²³¹² Art. 75.4.²³¹³ Art. 76.1(a).²³¹⁴ Art. 76.1(b).²³¹⁵ Art. 75.4.²³¹⁶ Art. 76.1(a).²³¹⁷ Art. 76.1(b).

Provision	Art. 81(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	
Entity exercising private/personal use	exclusively private use
Purpose of private/personal use	
Condition of private/personal use	not to be used for any purposes of communication to the public or commercialization
Frequency/copies and limits	
Preclusions (not part of private/personal use)	use does not prejudice the normal exploitation of the work and does not cause unreasonable prejudice to the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("consented [to] the reproduction")

3. Quotations

Provision	Art. 75.2(g)
Scope of quotation	inclusion of quotations or summaries
Type(s) of source work(s)	other people's works, whatever their gender and nature
Entity exercising quotation	
Purpose of quotation	in support of own doctrines or for the purposes of criticism, discussion or teaching
Condition of quotation	to the extent justified by the objective to be achieved works produced must not be confused with source works ²³¹⁸ quotation not be so extensive as to prejudice the interests in source works ²³¹⁹
Preclusions (not part of quotation)	such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³²⁰
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³²¹
Subject to Remuneration	not required ("without the author's consent")

4. Research/Educational Reproduction

Provision	Art. 81(a)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	works not yet available in the market or impossible to obtain
Entity exercising reproduction	

²³¹⁸ Art. 76.2.

²³¹⁹ Art. 76.2.

²³²⁰ Art. 75.4.

²³²¹ Art. 76.1(a).

Purpose of educational reproduction	purposes that are exclusively scientific or humanitarian
Condition of reproduction	for the time necessary for its use
Frequency/copies and limits	in a single copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("consented [to] the reproduction")

Provision	Art. 75.2(e)
Scope of research/educational reproduction	reproduction, in whole or in part
Type(s) of source work(s)	a work previously made available to the public
Entity exercising reproduction	carried out by, inter alia, scientific or educational institution
Purpose of educational reproduction	
Condition of reproduction	reproduction and the respective number of copies are not intended for the public reproduction not seek to obtain an economic or commercial advantage, direct or indirect works produced must not be confused with source works, and reproduction not be so extensive as to prejudice the interests in source works ²³²²
Frequency/copies and limits	reproduction and the respective number of copies are limited to the needs of the own activities of these institutions, including the acts of reproduction necessary to the preservation and archive of any work
Preclusions (not part of research/educational reproduction)	such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³²³
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³²⁴
Subject to Remuneration	equitable remuneration by entity that carried out the reproduction, payable to author, "and in analog scope [sic], to the editor[sic]" ²³²⁵

Provision	Art. 75.2(f)
Scope of research/educational reproduction	reproduction, distribution
Type(s) of source work(s)	parts of a published work
Entity exercising reproduction	teaching and education establishments
Purpose of educational reproduction	purposes of teaching and education, intended exclusively for the teaching purposes in these

²³²² Art. 76.2.

²³²³ Art. 75.4.

²³²⁴ Art. 76.1(a).

²³²⁵ Art. 76.1(b).

	establishments
Condition of reproduction	not to obtain an economic or commercial advantage, direct or indirect works produced must not be confused with source works
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	reproduction not be so extensive as to prejudice the interests in source works ²³²⁶ such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³²⁷
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³²⁸
Subject to Remuneration	not required ("without the author's consent")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 75.2(h)
Scope of anthologies/compilations limitation/exception	inclusion, in own works
Type(s) of source work(s)	short pieces or fragments of other people's works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	own works with teaching purposes
Condition of anthologies/compilations limitation/exception	works produced must not be confused with source works, and reproduction/quotation not be so extensive as to prejudice the interests in source works ²³²⁹
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³³⁰
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³³¹
Subject to Remuneration	equitable remuneration payable to author and publisher ²³³²

²³²⁶ Art. 76.2.

²³²⁷ Art. 75.4.

²³²⁸ Art. 76.1(a).

²³²⁹ Art. 76.2.

²³³⁰ Art. 75.4.

²³³¹ Art. 76.1(a).

²³³² Art. 76.1(b).

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 75.2(f)
Scope of broadcast/communication/recording	making available to the public
Type(s) of source work(s)	parts of a published work
Entity exercising broadcast/communication/recording	teaching and education establishments
Purpose of broadcast/communication/recording	purposes of teaching and education, intended exclusively for the teaching purposes in these establishments
Condition of broadcast/communication/recording	not to obtain an economic or commercial advantage, direct or indirect works produced must not be confused with source works
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reproduction/quotation not be so extensive as to prejudice the interests in source works ²³³³ such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author ²³³⁴
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³³⁵
Subject to Remuneration	not required ("without the author's consent")

Provision	Art. 75.2(o)
Scope of broadcast/communication/recording	communication or making available to the public, to individual members of the public, by dedicated terminals
Type(s) of source work(s)	protected works not subject to conditions on purchase or licensing, and "that integrate their collections or property" [sic]
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	purposes of research or private study,
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	terminals to be used in library, museums, public archives and schools facilities
Preclusions (not part of broadcast/communication/recording)	such uses must not reach the normal exploitation of the work or cause unreasonable prejudice to

²³³³ Art. 76.2.²³³⁴ Art. 75.4.²³³⁵ Art. 76.1(a).

	the legitimate interests of the author ²³³⁶
Subject to Attribution	title, author, publisher, and other identification circumstances, where possible ²³³⁷
Subject to Remuneration	not required ("without the author's consent")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

²³³⁶ Art. 75.4.

²³³⁷ Art. 76.1(a).

Qatar

1. Legislation Reviewed

Law No. 7 of 2002 on the Protection of Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 18(1)
Scope of private/personal use	using, through reproduction, translation, quotation, musical arrangement, acting, broadcast listening, television viewing, photography or by any other means
Type(s) of source work(s)	a protected work, (a performance, sound recording, broadcast) ²³³⁸
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ²³³⁹
Subject to Attribution	
Subject to Remuneration	not required ("without the Author's authorization")

3. Quotations

Provision	Art. 18(3)
Scope of quotation	citing, in another work
Type(s) of source work(s)	paragraph of a work, (a performance, sound recording, broadcast) ²³⁴⁰
Entity exercising quotation	
Purpose of quotation	illustration, demonstration or criticism
Condition of quotation	within the acceptable practice and as justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the Author's authorization")

4. Research/Educational Reproduction

Provision	Art. 21(1)
Scope of research/educational reproduction	reproduction

²³³⁸ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

²³³⁹ Art. 18(2) proviso.

²³⁴⁰ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

Type(s) of source work(s)	articles, short works or extracts of works, (performances, sound recordings, broadcasts) ²³⁴¹
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights of which educational institution is or should be aware
Frequency/copies and limits	to the extent justified by the purpose reproduction is isolated; if repeated, on separate and unrelated occasions
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author (on all copies if practicable)
Subject to Remuneration	not required ("reproduction is allowed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 18(2)
Scope of anthologies/compilations limitation/exception	use, by way of illustration, through publications
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²³⁴²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is nonprofit making
Frequency/copies and limits	extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ²³⁴³
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the Author's authorization")

6. School Performances

Provision	Art. 18(2)
Scope of school performance	use, by way of illustration, by "any other means"
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²³⁴⁴

²³⁴¹ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

²³⁴² Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

²³⁴³ Art. 18(2) proviso.

Entity exercising school performance	
Purpose of school performance	for teaching
Condition of school performance	use is nonprofit making the extent justified by the purpose
Preclusions (not part of school performance)	use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ²³⁴⁵
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the Author's authorization")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 18(2)
Scope of broadcast/communication/recording	use, by way of illustration, through broadcasts, sound or visual recordings, films or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²³⁴⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is nonprofit making
Frequency/limits of broadcast/communication/recording	the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ²³⁴⁷
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the Author's authorization")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 27(a)
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ²³⁴⁸ compulsory licence, for translation into Arabic of a foreign work, and publication of such translation in printed form or any other form
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	foreign work published in a printed form or any other form

²³⁴⁴ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

²³⁴⁵ Art. 18(2) proviso.

²³⁴⁶ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

²³⁴⁷ Art. 18(2) proviso.

²³⁴⁸ Art. 27(a).

Licence applicant/entity	a Qatari citizen ²³⁴⁹
Purpose of licence	school and university education or research ²³⁵⁰
Condition of licence	licence application may be made: 3 years from first publication work has not been previously translated into Arabic and published in Qatar by the owner of the translation right or with his consent, or if translation has been so published, all editions in that language are out of print
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair compensation to author of original translated work, in conformity with the criteria of economic rights applied for voluntary licenses between persons in Qatar and persons in the author's country ²³⁵¹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister or his delegate ²³⁵²

Provision	Art. 27(b)
Nature of compulsory licence for reproduction for educational purposes	exclusive, non-transferable ²³⁵³ compulsory licence, for reproduction and publication of
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any published work
Licence applicant/entity	a Qatari citizen ²³⁵⁴
Purpose of licence	only for the use in school or university education ²³⁵⁵
Condition of licence	licence application may be made: 3 years from first publication (for work related to technology, natural science, physics or mathematics) 7 years from first publication (for works of poetry, theatre, music, art books and novels) 5 years from first publication (for other published works) ²³⁵⁶ work has not been distributed in Qatar to satisfy the needs of the public or for school or university education by the owner or with his consent and

²³⁴⁹ Art. 27(a).

²³⁵⁰ Art. 27(c).

²³⁵¹ Art. 27(d).

²³⁵² Art. 27(a).

²³⁵³ Art. 27(b).

²³⁵⁴ Art. 27(b).

²³⁵⁵ Art. 27(c).

²³⁵⁶ Art. 27(b)(1).

	for a price similar to the prices of similar works in Qatar ²³⁵⁷
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair compensation to author of original translated work, in conformity with the criteria of economic rights applied for voluntary licenses between persons in Qatar and persons in the author's country ²³⁵⁸
Price of publication	for a price similar or less than the price of reproduced edition ²³⁵⁹
Distribution conditions	
Grantor of compulsory licence	Minister or his delegate ²³⁶⁰

9. TPM/RMI Exceptions for Educational Purposes

²³⁵⁷ Art. 27(b)(2).

²³⁵⁸ Art. 27(d).

²³⁵⁹ Art. 27(b)(3).

²³⁶⁰ Art.27(b).

Republic of Korea

1. Legislation Reviewed

Copyright Act (Act No. 432 of January 28, 1957, as amended up to Act No. 12137 of December 30, 2013)

2. Private/Personal Use

Provision	Arts. 30, 87(1)
Scope of private/personal use	reproduce in private
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast), ²³⁶¹ already made public
Entity exercising private/personal use	a user
Purpose of private/personal use	non-commercial purposes for personal use
Condition of private/personal use	within the home or within similarly limited range
Frequency/copies and limits	
Preclusions (not part of private/personal use)	reproduction through the use of a photocopier set up for public use
Subject to Attribution	
Subject to Remuneration	not required ("may reproduce")

3. Quotations

Provision	Art. 28
Scope of quotation	quote
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast), ²³⁶² already made public
Entity exercising quotation	
Purpose of quotation	criticism, education, and research
Condition of quotation	within a reasonable limit and in compliance with fair practices
Preclusions (not part of quotation)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁶³
Subject to Remuneration	not required ("It is permissible")

Provision	Art. 35ter
Scope of quotation	use
Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ²³⁶⁴

²³⁶¹ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁶² Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁶³ Art. 37.

²³⁶⁴ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

Entity exercising quotation	
Purpose of quotation	criticism
Condition of quotation	to determine if use falls under paragraph (1) [fair use], following factors etc. shall be considered: (a) purposes and characters of the use, including whether such use is for profit; (b) category and nature of the works; (c) amount and substantiality of the portion used in relation to the whole work; (d) effect of the use on the current or potential market for or value of the work.
Preclusions (not part of quotation)	such use does not conflict with the normal exploitation of works and does not unreasonably prejudice the legitimate interests of the rightholders except in the cases pursuant to Articles 23 to 35bis and 101ter to 101quinquies
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁶⁵
Subject to Remuneration	not required ("It is permissible")

4. Research/Educational Reproduction

Provision	Art. 25(2)
Scope of research/educational reproduction	reproduce, distribute
Type(s) of source work(s)	whole or parts of a work, (a performance, phonogram, broadcast), ²³⁶⁶ already made public
Entity exercising reproduction	schools established by special laws, the Early Childhood Education Act, the Elementary and Secondary Education Act, or the Higher Education Act; and educational supporting institutions affiliated to the State or local government
Purpose of educational reproduction	to support classes implemented in those educational institutions
Condition of reproduction	
Frequency/copies and limits	whole work may be used if it is inevitable to use the work in whole in view of the character of the work, or the purpose and form etc., of such use
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁶⁷
Subject to Remuneration	except for high schools, their equivalents, or lower level schools, ²³⁶⁸ remuneration to be paid

²³⁶⁵ Art. 37.

²³⁶⁶ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁶⁷ Art. 37.

²³⁶⁸ Art. 25(4).

	by person who intends to exploit work through to designated CMO, ²³⁶⁹ to be distributed to owner of property rights according to criteria determined and announced by the Minister of Culture, Sports and Tourism ²³⁷⁰
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Provision	Art. 25(3)
Scope of research/educational reproduction	reproduce
Type(s) of source work(s)	whole or parts of a work, (a performance, phonogram, broadcast), ²³⁷¹ already made public
Entity exercising reproduction	a person who receives instruction in schools established by special laws, the Early Childhood Education Act, the Elementary and Secondary Education Act, or the Higher Education Act; and educational supporting institutions affiliated to the State or local government
Purpose of educational reproduction	recognized as necessary for the purpose of the lessons
Condition of reproduction	
Frequency/copies and limits	whole work may be used if it is inevitable to use the work in whole in view of the character of the work, or the purpose and form etc., of such use
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁷²
Subject to Remuneration	not required ("A person who intends to exploit a work pursuant to paragraphs (1) and (2) shall pay...")

Provision	Art. 32
Scope of research/educational reproduction	reproduce and distribute
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast), ²³⁷³ already made public
Entity exercising reproduction	
Purpose of educational reproduction	entrance examinations for schools or other examinations of knowledge and skills
Condition of reproduction	not for purposes of making a profit
Frequency/copies and limits	within the reasonable extent deemed necessary for that purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("It is permissible")

²³⁶⁹ Art. 25(5).

²³⁷⁰ Art. 25(4).

²³⁷¹ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁷² Art. 37.

²³⁷³ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

Provision	Art. 35ter
Scope of research/educational reproduction	use
Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ²³⁷⁴
Entity exercising reproduction	
Purpose of educational reproduction	education and research
Condition of reproduction	to determine if use falls under paragraph (1) [fair use], following factors etc. shall be considered: (a) purposes and characters of the use, including whether such use is for profit; (b) category and nature of the works; (c) amount and substantiality of the portion used in relation to the whole work; (d) effect of the use on the current or potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	such use does not conflict with the normal exploitation of works and does not unreasonably prejudice the legitimate interests of the rightholders except in the cases pursuant to Articles 23 to 35bis and 101ter to 101quinquies
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁷⁵
Subject to Remuneration	not required ("It is permissible")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 25(1)
Scope of anthologies/compilations limitation/exception	reproduction in textbooks
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast), ²³⁷⁶ already made public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	necessary for the purpose of education in high schools, their equivalents, or lower level schools
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source (in a manner deemed reasonable), author

²³⁷⁴ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutantis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁷⁵ Art. 37.

²³⁷⁶ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutantis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

	or pseudonym (if available) ²³⁷⁷
Subject to Remuneration	except for high schools, their equivalents, or lower level schools, ²³⁷⁸ remuneration to be paid by person who intends to exploit work through to designated CMO, ²³⁷⁹ to be distributed to owner of property rights according to criteria determined and announced by the Minister of Culture, Sports and Tourism ²³⁸⁰

6. School Performances

Provision	Art. 25(2)
Scope of school performance	perform in public, display
Type(s) of source work(s)	whole or parts of a work, (a performance, phonogram, broadcast), ²³⁸¹ already made public
Entity exercising school performance	schools established by special laws, the Early Childhood Education Act, the Elementary and Secondary Education Act, or the Higher Education Act; and educational supporting institutions affiliated to the State or local government
Purpose of school performance	to support classes implemented in those educational institutions
Condition of school performance	whole work may be used if it is inevitable to use the work in whole in view of the character of the work, or the purpose and form etc., of such use
Preclusions (not part of school performance)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁸²
Subject to Remuneration	except for high schools, their equivalents, or lower level schools, ²³⁸³ remuneration to be paid by person who intends to exploit work through to designated CMO, ²³⁸⁴ to be distributed to owner of property rights according to criteria determined and announced by the Minister of Culture, Sports and Tourism ²³⁸⁵

Provision	Art. 35ter
Scope of school performance	use

²³⁷⁷ Art. 37.

²³⁷⁸ Art. 25(4).

²³⁷⁹ Art. 25(5).

²³⁸⁰ Art. 25(4).

²³⁸¹ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁸² Art. 37.

²³⁸³ Art. 25(4).

²³⁸⁴ Art. 25(5).

²³⁸⁵ Art. 25(4).

Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ²³⁸⁶
Entity exercising school performance	
Purpose of school performance	education and research
Condition of school performance	to determine if use falls under paragraph (1) [fair use], following factors etc. shall be considered: (a) purposes and characters of the use, including whether such use is for profit; (b) category and nature of the works; (c) amount and substantiality of the portion used in relation to the whole work; (d) effect of the use on the current or potential market for or value of the work.
Preclusions (not part of school performance)	such use does not conflict with the normal exploitation of works and does not unreasonably prejudice the legitimate interests of the rightholders except in the cases pursuant to Articles 23 to 35bis and 101ter to 101quinquies
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁸⁷
Subject to Remuneration	not required ("It is permissible")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25(2)
Scope of broadcast/communication/recording	display, or [interactively] transmit
Type(s) of source work(s)	whole or parts of a work, (a performance, phonogram, broadcast), ²³⁸⁸ already made public
Entity exercising broadcast/communication/recording	schools established by special laws, the Early Childhood Education Act, the Elementary and Secondary Education Act, or the Higher Education Act; and educational supporting institutions affiliated to the State or local government
Purpose of broadcast/communication/recording	to support classes implemented in those educational institutions
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	whole work may be used if it is inevitable to use the work in whole in view of the character of the work, or the purpose and form etc., of such use if an educational institution conducts interactive transmission, necessary measures such as those to prevent reproduction shall be prescribed by

²³⁸⁶ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁸⁷ Art. 37.

²³⁸⁸ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

	Presidential Decree to prevent infringement of copyrights and related rights ²³⁸⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁹⁰
Subject to Remuneration	except for high schools, their equivalents, or lower level schools, ²³⁹¹ remuneration to be paid by person who intends to exploit work through to designated CMO, ²³⁹² to be distributed to owner of property rights according to criteria determined and announced by the Minister of Culture, Sports and Tourism ²³⁹³

Provision	Art. 25(3)
Scope of broadcast/communication/recording	interactively transmit
Type(s) of source work(s)	whole or parts of a work, (a performance, phonogram, broadcast), ²³⁹⁴ already made public
Entity exercising broadcast/communication/recording	a person who receives instruction in schools established by special laws, the Early Childhood Education Act, the Elementary and Secondary Education Act, or the Higher Education Act; and educational supporting institutions affiliated to the State or local government
Purpose of broadcast/communication/recording	recognized as necessary for the purpose of the lessons
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	whole work may be used if it is inevitable to use the work in whole in view of the character of the work, or the purpose and form etc., of such use
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁹⁵
Subject to Remuneration	not required ("A person who intends to exploit a work pursuant to paragraphs (1) and (2) shall pay...")

Provision	Art. 35ter
Scope of broadcast/communication/recording	use

²³⁸⁹ Art. 25(10).

²³⁹⁰ Art. 37.

²³⁹¹ Art. 25(4).

²³⁹² Art. 25(5).

²³⁹³ Art. 25(4).

²³⁹⁴ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁹⁵ Art. 37.

Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ²³⁹⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	education and research
Condition of broadcast/communication/recording	to determine if use falls under paragraph (1) [fair use], following factors etc. shall be considered: (a) purposes and characters of the use, including whether such use is for profit; (b) category and nature of the works; (c) amount and substantiality of the portion used in relation to the whole work; (d) effect of the use on the current or potential market for or value of the work.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	such use does not conflict with the normal exploitation of works and does not unreasonably prejudice the legitimate interests of the rightholders except in the cases pursuant to Articles 23 to 35bis and 101ter to 101quinquies
Subject to Attribution	source (in a manner deemed reasonable), author or pseudonym (if available) ²³⁹⁷
Subject to Remuneration	not required ("It is permissible")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 104bis(1).1
Scope of TPM/RMI exception	circumvent, by means such as removal and alteration, or bypassing, etc. and either intentionally or negligently, technological protection measures
Type(s) of source work(s)	works, etc.
Beneficiary exercising exception	a person who is engaged in studying encryption
Purpose of exception	circumvents technological protection measures to the extent it is necessary for studying any flaws or vulnerability in the encryption technology applied to the works
Condition of exception	person has legitimately obtained a copy of the works, etc. person has made considerable effort to obtain authorization for the use necessary for the study from the right holders, but in vain

²³⁹⁶ Art. 87 (applying Arts. 23, 24, 25(1) to (3), 26 to 32, 33(2), 34, 35bis, 35ter, 36 and 37 mutatis mutandis to the use of performances, phonograms or broadcasts which are the objects of neighbouring rights).

²³⁹⁷ Art. 37.

Provision	Art. 104bis(1).5
Scope of TPM/RMI exception	necessary to circumvent, by means such as removal and alteration, or bypassing, etc. and either intentionally or negligently, technological protection measures
Type(s) of source work(s)	works, etc.
Beneficiary exercising exception	educational institutions and educational support institutions, libraries (limited to non-profit libraries) or archive management institutions
Purpose of exception	to decide whether to purchase the works
Condition of exception	applies only when any access thereto is impossible without circumventing technological protection measures

Provision	Art. 104bis(1).6
Scope of TPM/RMI exception	circumvent, by means such as removal and alteration, or bypassing, etc. and either intentionally or negligently, technological protection measures
Type(s) of source work(s)	a program
Beneficiary exercising exception	a person who uses a program with legitimate authority
Purpose of exception	decompilation of the program
Condition of exception	to the extent necessary to attain compatibility with other programs

Republic of Moldova

1. Legislation Reviewed

Law No. 139 of July 2, 2010, on Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	Art. 26
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, videogram, broadcast, cable distribution) ²³⁹⁸
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for his own exclusive use
Condition of private/personal use	for purposes that are neither directly or indirectly commercial reproduction would not contravene the normal use of the works and do not prejudice the legitimate interests of the authors and other holders of copyright ²³⁹⁹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of a building or similar construction, a database, a computer program ²⁴⁰⁰ , a complete book, musical score or original of a work of plastic art, an audiovisual work during its public performance, any work on the basis of a copy or from a source about which the person that makes a reproduction knows, or, under the given circumstances, he has reasonable reasons to know, that it is illegal
Subject to Attribution	
Subject to Remuneration	equitable remuneration ²⁴⁰¹ payable by equipment (sound recording, video recorders, drivers for recordable and re-recordable discs etc.) and media (blank tapes and cassettes, laser discs, compact discs, etc) producers/importers/distributors ²⁴⁰² used for reproduction of audiovisual works/phonograms, ²⁴⁰³ through a CMO ²⁴⁰⁴ to

²³⁹⁸ Art. 38.

²³⁹⁹ Art. 24.

²⁴⁰⁰ Art. 29 (excepting use of the computer program and for backup/archival, testing and interoperability purposes).

²⁴⁰¹ Art. 26(6) (providing that parties should negotiate, but remuneration shall not be less than 3% of resale price of equipment/media).

²⁴⁰² Art. 26(8)-(9) (holding the distributors obliged to make equitable remuneration if unable to present documents to CMOs necessary to verify that equitable remuneration has been duly paid).

²⁴⁰³ Art. 26(3) (excepting equipment/media exported, professional equipment not intended for home recording or imported by natural person for his own exclusive use).

²⁴⁰⁴ Art. 26(5)(a), (10).

	authors, performers, producers of audiovisual works and phonograms ²⁴⁰⁵
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3. Quotations

Provision	Art. 28(a)
Scope of quotation	short quotations in another work
Type(s) of source work(s)	a work or other subject-matter (related rights: performance, phonogram, videogram, broadcast, cable distribution) ²⁴⁰⁶ which has already been lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	purposes such as criticism or review
Condition of quotation	use is in accordance with fair practice
Preclusions (not part of quotation)	use to the extent required by the specific purpose use does not contravene normal use of works and does not prejudice legitimate interests of authors/other holders of copyright ²⁴⁰⁷
Subject to Attribution	source, author (unless impossible)
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 28(b)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications
Type(s) of source work(s)	works, (related rights: performances, phonograms, videograms, broadcasts, cable distributions) ²⁴⁰⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the non-commercial purpose to be achieved
Preclusions (not part of anthologies/compilations limitation/exception)	use does not contravene normal use of works and does not prejudice legitimate interests of authors/other holders of copyright ²⁴⁰⁹
Subject to Attribution	source, author (unless impossible)

²⁴⁰⁵ Art. 26(5)(b), (12). Art. 26(10)(b) (providing the distribution to be – for audiovisual works and videograms: authors (40%), performers (30%), producers (30%), phonograms: authors (50%), performers (25%), producers (25%)).

²⁴⁰⁶ Art. 38.

²⁴⁰⁷ Art. 24.

²⁴⁰⁸ Art. 38.

²⁴⁰⁹ Art. 24.

Subject to Remuneration	not required ("without payment of remuneration")
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6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 28(b)
Scope of broadcast/communication/recording	use, by way of illustration in broadcast or sound or visual recordings
Type(s) of source work(s)	works, (related rights: performances, phonograms, videograms, broadcasts, cable distributions) ²⁴¹⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the non-commercial purpose to be achieved
Preclusions (not part of broadcast/communication/recording)	use does not contravene normal use of works and does not prejudice legitimate interests of authors/other holders of copyright ²⁴¹¹
Subject to Attribution	source, author (unless impossible)
Subject to Remuneration	not required

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 52(2)
Scope of TPM/RMI exception	(in absence of voluntary measures taken by rightholders) intervention by Mediation and Arbitration Body to require rightholder who used effective technological measures in respect of his work/objects of related rights to make available means to the "beneficiaries" (and organization representing them) to the extent necessary to benefit from the exception /limitation
Type(s) of source work(s)	work/objects of related-rights (but not applicable to works/ objects of related-rights available to the public on contractual terms in an interactive mode ²⁴¹²)
Beneficiary exercising exception	"beneficiaries": users who reproduce/use work/subject-matter for, <i>inter alia</i> , quotations (Art. 28(a)), for teaching purposes (Art. 28(b))
Purpose of exception	

²⁴¹⁰ Art. 38.²⁴¹¹ Art. 24.²⁴¹² Art. 52(4), taken from EU Copyright Directive 2001/29, Art. 6(4).

Condition of exception	beneficiary to have legal access to protected work/objects of related rights
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Note: Art. 28(p) (relating to use by libraries/archive services of works/related rights/subject-matter not subject to purchase or licensing terms, by way of communication or interactive making available, for purpose of research or private study by individual members of the public by dedicated terminals).

Romania

1. Legislation Reviewed

Law No. 8 of March 14, 1996 on Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 34
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work that has already been disclosed to the public
Entity exercising private/personal use	
Purpose of private/personal use	personal use or for use by a normal family circle
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“reproduction does not contravene [...] the normal use of the work or prejudice the author or the owner of the utilization rights”
Subject to Attribution	
Subject to Remuneration	compensatory remuneration by levy on manufacturer/importer ²⁴¹³ of media on which reproductions of sound/audiovisual recordings and works graphically expressed can be made and apparatus dedicated for copying ²⁴¹⁴ , payable to CMOs, ²⁴¹⁵ for distribution to authors, performers, publishers, producers

3. Quotations

Provision	Art. 33(1)(b)
Scope of quotation	use of brief quotations
Type(s) of source work(s)	a work already disclosed to the public
Entity exercising quotation	
Purpose of quotation	analysis, commentary or criticism, or for illustration
Condition of quotation	to the extent justified by use
Preclusions (not part of quotation)	
Subject to Attribution	source, author (unless infeasible) ²⁴¹⁶
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 33(2)(d)
Scope of research/educational reproduction	reproduction, “distribution” ²⁴¹⁷

²⁴¹³ Art. 107.

²⁴¹⁴ Art. 34(2).

²⁴¹⁵ Art. 107¹ (one CMO for works reproduced by sound and audiovisual recording and another for works reproduced from paper). The distribution mechanisms are spelt out in Art. 107².

²⁴¹⁶ Art. 33(4).

²⁴¹⁷ Art. 14¹(1) (defining “distribution” as the sale or any

Type(s) of source work(s)	works
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching or scientific research
Condition of reproduction	neither direct nor indirect commercial or economic advantage
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (unless infeasible) ²⁴¹⁸
Subject to Remuneration	not required ("are allowed")

Provision	Art. 33(1)(e)
Scope of research/educational reproduction	specific acts of reproduction
Type(s) of source work(s)	
Entity exercising reproduction	[inter alia] educational establishments
Purpose of educational reproduction	not for direct or indirect economic or commercial advantage
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (unless infeasible) ²⁴¹⁹
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 35(d)
Scope of research/educational reproduction	alteration
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	a short review of the work by didactic purpose
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	author
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 33(1)(c)
Scope of anthologies/compilations limitation/exception	use, in publications
Type(s) of source work(s)	isolated articles or brief excerpts from works
Entity exercising anthologies/compilations limitation/exception	

other manner of transmittal, for a consideration or free of charge, of the original or of copies of a work, as well as their offering to the public).

²⁴¹⁸ Art. 33(4).

²⁴¹⁹ Art. 33(4).

Purpose of anthologies/compilations limitation/exception	exclusively intended for teaching purposes and also the reproduction for teaching purposes, within the framework of public education or social welfare institutions
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	extent justified by the intended purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (unless infeasible) ²⁴²⁰
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances

Provision	Art. 33(1)(g)
Scope of school performance	representation and execution
Type(s) of source work(s)	a work
Entity exercising school performance	
Purpose of school performance	as part of the activities of educational establishments exclusively for specific purposes
Condition of school performance	both the representation or execution and the public's access are free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33(1)(c)
Scope of broadcast/communication/recording	use, in television or radio broadcasts or sound or audiovisual recordings
Type(s) of source work(s)	isolated articles or brief excerpts from works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exclusively intended for teaching purposes and also the reproduction for teaching purposes, within the framework of public education or social welfare institutions
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	extent justified by the intended purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (unless infeasible) ²⁴²¹
Subject to Remuneration	not required ("without payment of remuneration")

²⁴²⁰ Art. 33(4).

²⁴²¹ Art. 33(4).

Provision	Art. 33(2)(d)
Scope of broadcast/communication/recording	broadcasting or communication to the public
Type(s) of source work(s)	works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching or scientific research
Condition of broadcast/communication/recording	neither direct nor indirect commercial or economic advantage
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (unless infeasible) ²⁴²²
Subject to Remuneration	not required ("are allowed")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

²⁴²² Art. 33(4).

Russian Federation

1. Legislation Reviewed

Civil Code of the Russian Federation No 358-F3 (with amendments up to November 28, 2015)

2. Private/Personal Use

Provision	Art. 1273
Scope of private/personal use	reproduce
Type(s) of source work(s)	a work lawfully made available to the public, (objects of related rights) ²⁴²³
Entity exercising private/personal use	a physical person
Purpose of private/personal use	for exclusively personal purposes
Condition of private/personal use	
Frequency/copies and limits	to the extent of his needs
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and analogous structures, reprographic reproduction, i.e. facsimile reproduction, of entire books and of sheet music by any technological means other than for the purpose of publication, databases ²⁴²⁴ , video recording of audiovisual works in case of their public performance at a place open to the public or at a place where there are a significant number of persons present not belonging to the usual circle of a family, reproduction of an audiovisual work with the use of professional equipment not meant for use in domestic conditions limitation does not conflict with a normal exploitation of the works/objects of related rights and do not unreasonably prejudice the legitimate interests of the rightholders ²⁴²⁵
Subject to Attribution	
Subject to Remuneration	phonograms and audiovisual works: remuneration of a compensatory character payable by manufacturers and importers of equipment and material carriers ²⁴²⁶ used for such reproduction, to an accredited CMO, to be distributed to authors, performers and producers of phonograms or audiovisual works ²⁴²⁷

²⁴²³ Art. 1306.

²⁴²⁴ Art. 1280 (excepting use of the computer program and for study/backup/archival/interoperability purposes).

²⁴²⁵ Art. 1229.5 3rd sentence.

²⁴²⁶ Art. 1245(4) (excluding equipment and material carriers that are produced for export and from manufacturers and importers of professional equipment not designed for domestic use).

²⁴²⁷ Art. 1245.

3. Quotations

Provision	Art. 1274.1(1)
Scope of quotation	quotation in the original language and in translation
Type(s) of source work(s)	works lawfully made available to the public including reproduction of excerpts from newspaper and magazine articles in the form of press surveys, (objects of related rights) ²⁴²⁸
Entity exercising quotation	
Purpose of quotation	for scientific, polemical, critical or information purposes, for the purpose of expression of the author's creative ideas
Condition of quotation	
Preclusions (not part of quotation)	limitation does not conflict with a normal exploitation of the works/objects of related rights and do not unreasonably prejudice the legitimate interests of the rightholders ²⁴²⁹
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 1274.1(2)
Scope of anthologies/compilations limitation/exception	use as illustrations in publications
Type(s) of source work(s)	excerpts of works lawfully made available to the public, (objects of related rights) ²⁴³⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	an educational nature
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	in an amount justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	limitation does not conflict with a normal exploitation of the works/objects of related rights and do not unreasonably prejudice the legitimate interests of the rightholders ²⁴³¹
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

²⁴²⁸ Art. 1306.

²⁴²⁹ Art. 1229.5 3rd sentence.

²⁴³⁰ Art. 1306.

²⁴³¹ Art. 1229.5 3rd sentence.

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 1274.1(2)
Scope of broadcast/communication/recording	use, and excerpts, illustrations in radio and television broadcasts, and sound and video recordings
Type(s) of source work(s)	works lawfully made available to the public, (objects of related rights) ²⁴³²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an educational nature
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	in an amount justified by the purpose
Preclusions (not part of broadcast/communication/recording)	limitation does not conflict with a normal exploitation of the works/objects of related rights and do not unreasonably prejudice the legitimate interests of the rightholders ²⁴³³
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 1229.4
Scope of TPM/RMI exception	require author or rightholder who used technological measures in respect of his work/object of related rights to remove the limitation of use of the work for the "beneficiaries"
Type(s) of source work(s)	work/object of related rights ²⁴³⁴
Beneficiary exercising exception	"beneficiaries": person who wishes to use the work/object of related rights in a way that is permitted by the Code without the consent of the author or rightholder, where such use cannot take place due to the application of the technological measure
Purpose of exception	
Condition of exception	

²⁴³² Art. 1306.

²⁴³³ Art. 1229.5 3rd sentence.

²⁴³⁴ Art. 1309.

Rwanda

1. Legislation Reviewed

Law No. 31/2009 of 26/10/2009 on the Protection of Intellectual Property

2. Private/Personal Use

Provision	Art. 203
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other similar constructions, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ²⁴³⁵ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright"
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 247(1)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("without any remuneration")

3. Quotations

Provision	Arts. 205, 247(5)
Scope of quotation	reproduction

²⁴³⁵ Art. 211 (excepting use of the computer program and for backup/archival purposes; Art. 203 referring to Art. 178 [sic]).

Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ²⁴³⁶
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	published work: source, author (if indicated on source)
Subject to Remuneration	not required ("without payment of any remuneration")

4. Research/Educational Reproduction

Provision	Art. 206(1)
Scope of research/educational reproduction	use, by way of illustration
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ²⁴³⁷
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if practicable)
Subject to Remuneration	not required ("permitted ... without the authorization of the author or other owner of copyright")

Provision	Art. 206(2)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	various articles lawfully published in magazines or gazettes, short extracts of works obtained lawfully or a short creative work lawfully published
Entity exercising reproduction	
Purpose of educational reproduction	teaching or for examinations in educational institutions
Condition of reproduction	do not serve direct or indirect commercial gain
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if practicable)

²⁴³⁶ Art. 247(5).

²⁴³⁷ Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

Subject to Remuneration	not required ("permitted ... without the authorization of the author or other owner of copyright")
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Provision	Art. 247(3)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without any remuneration")

Provision	Art. 247(4)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to-face teaching activities
Condition of reproduction	except for performances and phonograms published as teaching or instructional materials
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without any remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 213(2)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ²⁴³⁸
Entity exercising school performance	
Purpose of school performance	teaching activities of a teaching establishment
Condition of school performance	only the staff and students or the parents of students or other people so linked directly to activities of the establishment are entitled to attend to a such performance
Preclusions (not part of school performance)	

²⁴³⁸ Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 206(1)
Scope of broadcast/communication/recording	use, by way of broadcasting or sound or visual recordings
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ²⁴³⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if practicable)
Subject to Remuneration	not required ("permitted ... without the authorization of the author or other owner of copyright")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Arts. 238, 239
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ²⁴⁴⁰ compulsory licence, for translation into one or two (Kinyarwanda, French and English) languages, and publication in printed or analogous forms of reproduction in Rwanda ²⁴⁴¹
Facilities provided in Paris Act, Appendix	
Type(s) of source work(s)	works published in printed or analogous forms of reproduction ²⁴⁴²
Licence applicant/entity	any person ²⁴⁴³
Purpose of licence	purpose of teaching, scholarship or research ²⁴⁴⁴
Condition of licence	licence application may be made: 3 years from first publication (where translation of work has not been published in Rwanda in Kinyarwanda, French and English by owner of translation right or with his authorisation), or if all

²⁴³⁹ Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

²⁴⁴⁰ Art. 238.

²⁴⁴¹ Art. 239 para. 7 (possibly erroneously referring to Arts. 241 and 242 when it should refer to Arts. 239 and 241).

²⁴⁴² Art. 238 para. 1.

²⁴⁴³ Art. 238 paras. 1, 2.

²⁴⁴⁴ Art. 238 para. 3.

	<p>editions of translation in language concerned are out of print²⁴⁴⁵</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to Minister in charge of culture, publisher or to the empowered authority²⁴⁴⁶</p> <p>a further period of 6 months has lapsed from date licence applicant complies with licence requirements²⁴⁴⁷</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner²⁴⁴⁸</p> <p>author has not withdrawn from circulation copies of the work²⁴⁴⁹</p> <p>on all copies of the published translation are printed: the name of author and original title²⁴⁵⁰</p> <p>empowered authority to ensure a correct translation of work²⁴⁵¹</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged for comparable works²⁴⁵²</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right, consistent with normally payable standards of royalties ²⁴⁵³
Price of publication	
Distribution conditions	copies of translated work may not be exported ²⁴⁵⁴
Grantor of compulsory licence	Minister

Provision	Arts. 240, 241
Nature of compulsory licence for	non-exclusive, non-transferable ²⁴⁵⁵ compulsory

²⁴⁴⁵ Art. 238 para. 2.

²⁴⁴⁶ Art. 239 para. 1.

²⁴⁴⁷ Art. 239 para. 2.

²⁴⁴⁸ Art. 239 para. 2.

²⁴⁴⁹ Art. 239 para. 4.

²⁴⁵⁰ Art. 239 para. 5.

²⁴⁵¹ Art. 239 para. 6.

²⁴⁵² Art. 239 para. 3.

²⁴⁵³ Art. 239 para. 6.

²⁴⁵⁴ Art. 239 para. 7.

reproduction for educational purposes	licence, for reproduction in printed or analogous forms of reproduction in Rwanda ²⁴⁵⁶
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	works (including translations, but only if they are published by owner of right of translation or with his authorization) ²⁴⁵⁷ published in printed or analogous forms of reproduction ²⁴⁵⁸
Licence applicant/entity	any person ²⁴⁵⁹
Purpose of licence	general public interest, university teaching or in connection with systematic instructional activities ²⁴⁶⁰
Condition of licence	<p>licence application may be made: 3 years from first publication (works of the natural and physical sciences and of technology)²⁴⁶¹ 7 years from first publication (works of fiction, poetry, drama and music, and for art books)²⁴⁶² 5 year from first publication (all other works)²⁴⁶³, or after expiration of above period, no authorized copies of that edition have been on sale for 6 months at a price reasonably related to that normally charged for comparable works²⁴⁶⁴</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation [sic], or was unable to find owner after due diligence, despite sending request to publisher, Minister in charge of culture or to any empowered authority²⁴⁶⁵</p> <p>a further period of 6 months has lapsed from date licence applicant complies with licence requirements²⁴⁶⁶</p> <p>no licence shall be granted if, during further period, copies of work have been distributed by or with authorisation of owner [of right of translation [sic]]²⁴⁶⁷</p>

²⁴⁵⁵ Art. 240 para. 1.

²⁴⁵⁶ Art. 239 para. 7 (possibly erroneously referring to Arts. 241 and 242 when it should refer to Arts. 239 and 241).

²⁴⁵⁷ Art. 241 para. 4.

²⁴⁵⁸ Art. 240 para. 1.

²⁴⁵⁹ Art. 240 paras. 1, 3.

²⁴⁶⁰ Art. 240 para. 5.

²⁴⁶¹ Art. 240 para. 2 (a).

²⁴⁶² Art. 240 para. 2 (b).

²⁴⁶³ Art. 240 para. 2(c).

²⁴⁶⁴ Art. 240 para. 4.

²⁴⁶⁵ Art. 241 para. 1.

²⁴⁶⁶ Art. 241 para. 2.

²⁴⁶⁷ Art. 241 para. 2.

	<p>author has not withdrawn from circulation copies of the work²⁴⁶⁸</p> <p>on all copies of the published translation are printed: the name of author and original title²⁴⁶⁹</p> <p>subject to licensee's sale of existing copies, licence terminated if reproduction right owner has published or authorised the publishing of work, at a price reasonably related to that normally charged for comparable works²⁴⁷⁰</p>
Compulsory licence fee(s)	
Price of publication	at a price reasonably related to that normally charged for comparable works or a lower price ²⁴⁷¹
Distribution conditions	copies of translated work may not be exported ²⁴⁷²
Grantor of compulsory licence	empowered authority

9. TPM/RMI Exceptions for Educational Purposes

²⁴⁶⁸ Art. 241 para. 4.

²⁴⁶⁹ Art. 239 para. 5 (possibly erroneous in that it referred to a grant of license under Arts. 238 and 239, when it probably meant Arts. 239 and 241).

²⁴⁷⁰ Art. 241 para. 3.

²⁴⁷¹ Art. 240 para. 3.

²⁴⁷² S 18(1)(d), (e).

Saint Kitts and Nevis

1. Legislation Reviewed

Copyright Act (Cap. 18.08)

2. Private/Personal Use

Provision	ss 52, 54
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act constitutes fair dealing, court shall take into account all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantially of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; (d) the effect of the act upon the potential market for, or commercial value of, the work.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

3. Quotations

Provision	ss 53(1), 54, 118(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work, (performance or recording) ²⁴⁷³
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work, (performance or recording) or of a performance of a work
Condition of quotation	to determine if act constitutes fair dealing, court shall take into account all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantially of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use;

²⁴⁷³ S 118(a).

	(d) the effect of the act upon the potential market for, or commercial value of, the work.
Preclusions (not part of quotation)	
Subject to Attribution	work: title, author (unless anonymous or author unascertainable by reasonable inquiry for unpublished work) ²⁴⁷⁴
Subject to Remuneration	

4. Research/Educational Reproduction

Provision	s 56(1)
Scope of research/educational reproduction	copying (non-reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁷⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... shall not be infringed")

Provision	s 56(2)
Scope of research/educational reproduction	copying by making a film or film soundtrack
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	making a film or film soundtrack in the course of instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁷⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... shall not be infringed")

Provision	s 56(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination by way of setting the questions, communicating the questions to

²⁴⁷⁴ S 51 (defining "sufficient acknowledgment").

²⁴⁷⁵ S 60.

²⁴⁷⁶ S 60.

	candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁷⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... shall not be infringed")

Provision	s 120(1)(a)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	person giving or receiving instructions
Purpose of educational reproduction	course of instruction, or of preparation for instruction, in the making of films or film soundtracks
Condition of reproduction	
Frequency/copies and limits	recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁷⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... shall not be infringed")

Provision	s 120(1)(b)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	purpose of setting or answering the questions in an examination
Condition of reproduction	
Frequency/copies and limits	recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁷⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... shall not be infringed")

Provision	s 59
Scope of research/educational reproduction	reprographic copies
Type(s) of source work(s)	passages from published literary, dramatic or musical works

²⁴⁷⁷ S 60.

²⁴⁷⁸ S 120(2), (3).

²⁴⁷⁹ S 120(2), (3).

Entity exercising reproduction	made by or on behalf of an educational establishment
Purpose of educational reproduction	purposes of instruction
Condition of reproduction	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ²⁴⁸⁰ any collective licence granted not to be more restrictive than this provision ²⁴⁸¹
Frequency/copies and limits	not more than 5% of any work in any quarter of the year ²⁴⁸² copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁸³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists source work itself is not intended for use in educational establishments
Frequency/copies and limits	not more than 2 excerpts from works by same author ²⁴⁸⁴ to be contained in collections by same publisher within 5 year period ²⁴⁸⁵
Preclusions (not part of	

²⁴⁸⁰ S 59(3).

²⁴⁸¹ S 59(4).

²⁴⁸² S 59(2).

²⁴⁸³ S 60.

²⁴⁸⁴ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²⁴⁸⁵ S 57(2).

anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous or author unascertainable by reasonable inquiry for unpublished work) ²⁴⁸⁶
Subject to Remuneration	not required ("shall not infringe copyright")

6. School Performances

Provision	ss 79, 125
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not be an infringement")

7. Educational Broadcasts/Communications/Recordings

Provision	s 58
Scope of broadcast/communication/recording	a recording or a copy of the recording
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	no recording if certified licensing scheme under s 102 providing for grant of licences ²⁴⁸⁷
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁸⁸
Preclusions (not part of	

²⁴⁸⁶ S 51 (defining "sufficient acknowledgment").

²⁴⁸⁷ S 104 goes on to provide that in considering what charges, if any, are to be paid for a licence for the recording by or on behalf of educational establishments of broadcasts or cable programmes which includes copyright works, or the making of copies of such recordings, for educational purposes, the High Court shall have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.

²⁴⁸⁸ S 60.

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing the copyright in the broadcast or cable programme or in any work included in it")

Provision	s 121
Scope of broadcast/communication/recording	recording or a copy of the recording
Type(s) of source work(s)	a broadcast or cable programme or a copy of the recording
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁸⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any of the [neighbouring] rights")

Provision	s 120(1)(c)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	[a recording or a performance]
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	communicating the questions to candidates
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁹⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... shall not be infringed")

²⁴⁸⁹ S 120(2).

²⁴⁹⁰ S 120(2), (3).

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Saint Lucia

1. Legislation Reviewed

Copyright Act (No. 10 of 1995), as amended by the Copyright (Amendment) Act 2000, No. 7 of 2000

2. Private/Personal Use

Provision	s 56(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a protected work ²⁴⁹¹
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act is fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the effect of the act upon the potential market for or commercial value of the work ²⁴⁹²
Frequency/copies and limits	
Preclusions (not part of private/personal use)	copying by a person other than the researcher or student himself: (a) a librarian or person acting on behalf of a librarian: doing anything not permitted by regulations (articles or parts of published works: restriction on multiple copies of same material under ss 69, 70) ²⁴⁹³ (b) any other case: person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ²⁴⁹⁴
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 115(1)
Scope of private/personal use	recording
Type(s) of source work(s)	whole or any substantial part of a performance
Entity exercising private/personal use	

²⁴⁹¹ s 3(1) (defining a work as including a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable program and the typographical arrangement of a published edition).

²⁴⁹² s 58.

²⁴⁹³ s 56(2)(a).

²⁴⁹⁴ s 56(2)(b)

Purpose of private/personal use	private and domestic use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[does not] infringe[] the [recording] rights")

3. Quotations

Provision	ss 57(1), 127(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work ²⁴⁹⁵ , (a performance or recording) ²⁴⁹⁶
Entity exercising quotation	
Purpose of quotation	criticism or review, of source work/performance/recording or another work/performance/recording or of a performance of source work
Condition of quotation	to determine if act is fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work/performance/recording in question; (b) the extent and substantiality of that part of the work/performance/recording affected by the act in relation to the whole of the work/performance/recording; (c) the effect of the act upon the potential market for or commercial value of the work/performance/recording ²⁴⁹⁷
Preclusions (not part of quotation)	
Subject to Attribution	title or other description, author (unless anonymous or author has previously indicated it was not required) ²⁴⁹⁸
Subject to Remuneration	not required ("does not infringe any copyright")

4. Research/Educational Reproduction

Provision	ss 62(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for

²⁴⁹⁵ s 3(1) (defining a work as including a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable program and the typographical arrangement of a published edition).

²⁴⁹⁶ s 127.

²⁴⁹⁷ s 58.

²⁴⁹⁸ s 55 (defining "sufficient acknowledgment").

	instruction
Condition of reproduction	
Frequency/copies and limits	copying is not by means of a reprographic process copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁴⁹⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 62(2)
Scope of research/educational reproduction	copying by making a film or film sound-track
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction in the making of films or film sound-tracks
Condition of reproduction	
Frequency/copies and limits	copying is done by the person giving or receiving instruction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 129(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction in the making of films or film sound-tracks
Condition of reproduction	
Frequency/copies and limits	copying is done by the person giving or receiving instruction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰¹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	

²⁴⁹⁹ S 67.

²⁵⁰⁰ S 67.

²⁵⁰¹ S 129(4).

Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")
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Provision	s 62(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a work ²⁵⁰²
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰³
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 129(2)(a)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, by setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰⁴
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 129(2)(b)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, by setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰⁵

²⁵⁰² s 3(1) (defining a work as including a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable program and the typographical arrangement of a published edition).

²⁵⁰³ S 67.

²⁵⁰⁴ S 67.

²⁵⁰⁵ S 67.

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 66
Scope of research/educational reproduction	reprographic copies
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	made by or on behalf of an educational establishment
Purpose of educational reproduction	purposes of instruction
Condition of reproduction	no copying if licences under licensing schemes are available authorizing copying and person making copies knows or ought to have been aware of licences ²⁵⁰⁶
Frequency/copies and limits	not more than 1% of any work per quarter ²⁵⁰⁷ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁰⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 63
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection for use in educational institutions
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement source work was not itself published for the use of educational institutions collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	no more than 2 passage/part from works by same

²⁵⁰⁶ S 67(3).

²⁵⁰⁷ s 66(2).

²⁵⁰⁸ S 67.

	author ²⁵⁰⁹ are published by same publisher within 5 year period ²⁵¹⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title or other description, author (unless anonymous or author has previously indicated it was not required) ²⁵¹¹
Subject to Remuneration	not required ("does not infringe copyright")

6. School Performances

Provision	s 64(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	
Purpose of school performance	by a teacher in the course of the activities of the establishment, or at the educational establishment for the purposes of instruction
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ²⁵¹² with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a public performance")

Provision	s 64(2)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ²⁵¹³ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a playing or showing of the

²⁵⁰⁹ S 63(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²⁵¹⁰ S 63(2).

²⁵¹¹ s 55 (defining "sufficient acknowledgment").

²⁵¹² s 64(3) (stating that a person is not directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment).

²⁵¹³ s 64(3) (stating that a person is not directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment).

	work in public")
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7. Educational Broadcasts/Communications/Recordings

Provision	s 65
Scope of broadcast/communication/recording	recording, or copy of such a recording
Type(s) of source work(s)	a broadcast or cable broadcasts, programme or a copy of such a recording (and any work included in it)
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	no recording if licensing scheme ²⁵¹⁴ with available licences authorizing making of such recordings or copies, and person making recordings knows or ought to have been aware of that fact ²⁵¹⁵
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵¹⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... infringing the copyright")

Provision	s 130
Scope of broadcast/communication/recording	recording, or copy of such a recording
Type(s) of source work(s)	a broadcast or cable broadcasts, programme or a copy of such a recording (and any performance or recording included in it)
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵¹⁷
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... infringing any of the

²⁵¹⁴ See s 106 (licences for educational establishments in respect of works included in broadcasts or cable programmes).

²⁵¹⁵ s 65(2).

²⁵¹⁶ S 67.

²⁵¹⁷ S 130(2).

	[neighbouring] rights")
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8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Notes: ss 68-72 (exceptions affecting libraries and archives).

Saint Vincent and the Grenadines

1. Legislation Reviewed

Copyright Act 2003 (Act No. 21 of 2003)

2. Private/Personal Use

Provision	ss 50(1), 52
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or published edition)
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ²⁵¹⁸
Frequency/copies and limits	
Preclusions (not part of private/personal use)	person (not researcher or student) ²⁵¹⁹ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ²⁵²⁰
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

3. Quotations

Provision	ss 51, 52, 110
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (performance, recording) ²⁵²¹
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work, (performance, recording,) or of performance of a work
Condition of quotation	to determine if act constitutes fair dealing, court shall take account of all factors which appear to it

²⁵¹⁸ S 52.

²⁵¹⁹ Copying by a person other than the researcher or student under s 50 will trigger the preclusion from the exception.

²⁵²⁰ S 50(2)(b).

²⁵²¹ S 110.

	to be relevant, including: (a) the nature of the work/performance/recording in question; (b) the extent and substantiality of that part of the work/performance/recording affected by the act in relation to the whole of the work/performance/recording; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work/performance/recording. ²⁵²²
Preclusions (not part of quotation)	
Subject to Attribution	work: title of work (or other description), name of author (unless anonymous or author agreed or required that no acknowledgement be made) ²⁵²³
Subject to Remuneration	not required ("does not infringe any copyright/[neighbouring] rights")

4. Research/Educational Reproduction

Provision	ss 50(1), 52
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or published edition)
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Condition of reproduction	to determine if act constitutes fair dealing, court shall take account of all factors which appear to it to be relevant, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ²⁵²⁴
Frequency/copies and limits	person (not researcher or student) ²⁵²⁵ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ²⁵²⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

²⁵²² S 52.

²⁵²³ S 55 (defining "sufficient acknowledgment").

²⁵²⁴ S 52.

²⁵²⁵ Copying by a person other than the researcher or student under s 50 will trigger the preclusion from the exception.

²⁵²⁶ S 50(2)(b).

Provision	s 56(1)
Scope of research/educational reproduction	copying (not by means of a reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵²⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 56(2)
Scope of research/educational reproduction	copying by making a film or film sound-track
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵²⁸
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 56(3)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵²⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 60
Scope of research/educational reproduction	reprographic copies ²⁵³⁰

²⁵²⁷ S 61.

²⁵²⁸ S 61.

²⁵²⁹ S 61.

Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Condition of reproduction	no copying if licences under licensing scheme are available authorizing copying and person making copies knows or ought to have been aware of licences ²⁵³¹ any collective licence ²⁵³² granted not to be more restrictive than this provision ²⁵³³
Frequency/copies and limits	not more than 1% of any work in any quarter of the year ²⁵³⁴ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵³⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without infringing any copyright")

Provision	s 111(1)
Scope of research/educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵³⁶
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

Provision	s 111(2)(a)
Scope of research/educational reproduction	copying of a recording
Type(s) of source work(s)	a performance, (a recording)
Entity exercising reproduction	

²⁵³⁰ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

²⁵³¹ S 60(3).

²⁵³² S 97 (prescribing the considerations by a court in relation to licensing of reprographic copying of published literary, dramatic, musical or artistic works, or typographical arrangements of published editions).

²⁵³³ S 60(4).

²⁵³⁴ S 60(2).

²⁵³⁵ S 61.

²⁵³⁶ S 111(3).

Purpose of educational reproduction	setting or answering questions in an examination, or for purposes of an examination
Condition of reproduction	
Frequency/copies and limits	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵³⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion in collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	no more than 2 extracts from works by same author ²⁵³⁸ are contained in collections by same publisher within 5 year period ²⁵³⁹
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous or author has previously agreed/required no acknowledgement) ²⁵⁴⁰
Subject to Remuneration	not required ("does not infringe copyright")

6. School Performances

Provision	s 58(1)
Scope of school performance	performance

²⁵³⁷ S 111(3).

²⁵³⁸ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²⁵³⁹ S 57(1)(e), (2).

²⁵⁴⁰ S 49 (defining "sufficient acknowledgment").

Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil, or at the institution by any person for the purposes of instruction
Purpose of school performance	in the course of the activities of the establishment or for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational institution and other "persons directly connected" ²⁵⁴¹ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a public programme")

Provision	s 58(2)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable program
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational institution and other "persons directly connected" ²⁵⁴² with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not a playing or showing of the work in public")

Provision	s 116
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	

²⁵⁴¹ S 58(3) (excluding parents of pupils per se from "persons directly connected with the activities of the educational establishment").

²⁵⁴² S 58(3) (excluding parents of pupils per se from "persons directly connected with the activities of the educational establishment").

Subject to Attribution	
Subject to Remuneration	not required ("not an infringement of any [neighbouring] rights")

7. Educational Broadcasts/Communications/Recordings

Provision	ss 59, 112 ²⁵⁴³
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational institution
Purpose of broadcast/communication/recording	for educational purposes of educational institution
Condition of broadcast/communication/recording	no recording if, or to extent that, licensing scheme ²⁵⁴⁴ under which licences are available authorising making of such recordings or copies, and person making recordings knows or ought to have been aware ²⁵⁴⁵
Frequency/limits of broadcast/communication/recording	copies of recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁴⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without ... infringing the copyright") ²⁵⁴⁷

Provision	s 111(2)(b)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁴⁸

²⁵⁴³ S 59 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 112 exempts from infringement the rights of performance and recording.

²⁵⁴⁴ See s 98.

²⁵⁴⁵ S 63(2).

²⁵⁴⁶ Ss 61, 112(2).

²⁵⁴⁷ S 98 (providing that where references or applications are made relating to licences for the recording by or on behalf of educational establishments of broadcasts or cable programmes which include copyright works, or the making of copies of such recordings for educational purposes, special considerations will be given by the Court regarding the licence charges payable by educational establishments).

²⁵⁴⁸ S 111(3).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring] rights ... are not infringed")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Samoa

1. Legislation Reviewed

Copyright Act 1998 (as consolidated in 2011)

2. Private/Personal Use

Provision	s 8
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other construction, whole or substantial part of a database, computer program ²⁵⁴⁹ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of copyright"
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the author or owner")

Provision	s 24(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, a sound recording
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do[] not apply")

Provision	s 8A
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private study
Condition of private/personal use	
Frequency/copies and limits	

²⁵⁴⁹ S 13 (excepting use of the computer program and for backup/archival purposes).

Preclusions (not part of private/personal use)	if person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time
Subject to Attribution	
Subject to Remuneration	not required ("not to be regarded as infringing any of the copyright")

3. Quotations

Provision	s 9
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ²⁵⁵⁰
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("permitted without authorisation")

4. Research/Educational Reproduction

Provision	s 8A
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	research
Condition of reproduction	
Frequency/copies and limits	if person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not to be regarded as infringing any of the copyright")

Provision	s 24(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, a sound recording ²⁵⁵¹

²⁵⁵⁰ S 24(d).

²⁵⁵¹ S 24(a).

Entity exercising reproduction	
Purpose of educational reproduction	scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do[] not apply")

Provision	s 10(1)(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights under which such reproduction can be made of which educational institution is or should be aware
Frequency/copies and limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("permitted without authorisation")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 10(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ²⁵⁵²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations)	

²⁵⁵² S 24(d).

limitation/exception)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("permitted without authorisation")

6. School Performances

Provision	s 24(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, a sound recording
Entity exercising school performance	
Purpose of school performance	face-to-face teaching activities or for scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do[] not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 10(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ²⁵⁵³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice
Frequency/limits of broadcast/communication/recording	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("permitted without authorisation")

Provision	s 24(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, a sound recording
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Frequency/limits of	

²⁵⁵³ S 24(d).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do[] not apply")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

San Marino

1. Legislation Reviewed

Law No. 8 of 25 January 1991 - Protection of Copyright

2. Private/Personal Use

Provision	Art. 98(a)
Scope of private/personal use	representation
Type(s) of source work(s)	a previously disseminated work ²⁵⁵⁴
Entity exercising private/personal use	
Purpose of private/personal use	private, made within the family or among friends
Condition of private/personal use	free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

Provision	Art. 98(b)
Scope of private/personal use	copies or reproductions
Type(s) of source work(s)	a previously disseminated work ²⁵⁵⁵
Entity exercising private/personal use	
Purpose of private/personal use	private use by the copyist and not destined to collective use, except for copies of works intended to be used for purposes identical to those for which the original work was created
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

3. Quotations

Provision	Art. 98(c)
Scope of quotation	analysis and brief quotation
Type(s) of source work(s)	other works ²⁵⁵⁶
Entity exercising quotation	

²⁵⁵⁴ Art. 5 (defining work as referring to literary, dramatic, musical or artistic works, sound recordings and audiovisual works and models and drawings). Copyright protection has been extended to artists and performers of the work. Provisions Supplementing Law No. 8 of 25 January 1991 – Copyright Protection, Law No. 63 of 24 June 1997. Presumably, the “works” of artists and performers will be subject to the same limitations and exceptions in Chapter VII of Law No. 8 of 25 January 1991.

²⁵⁵⁵ Art. 5 (defining work as referring to literary, dramatic, musical or artistic works, sound recordings and audiovisual works and models and drawings).

²⁵⁵⁶ Art. 5 (defining work as referring to literary, dramatic, musical or artistic works, sound recordings and audiovisual works and models and drawings).

Purpose of quotation	justified by the critical, polemic, pedagogic, scientific or informative character of the work in which they are included
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be free")

4. Research/Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Sao Tome and Principe

1. Legislation Reviewed

Copyright Code (approved by Decree-Law No. 46 980 of April 27, 1966)

2. Private/Personal Use

3. Quotations

Provision	Art. 185(1)
Scope of quotation	transcribe or summarize, in their works
Type(s) of source work(s)	excerpts of other works
Entity exercising quotation	
Purpose of quotation	supporting their own doctrines or for criticism, discussion or teaching
Condition of quotation	transcribed or summarized text to be different from produced work transcribed or summarized text shall not be so extensive that it prejudices the interest for the source work
Preclusions (not part of quotation)	
Subject to Attribution	author
Subject to Remuneration	not required ("authors [entities] of writings have the right")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 185(2)
Scope of anthologies/compilations limitation/exception	in anthologies, transcription
Type(s) of source work(s)	part and fragments of literary works or music from third parties
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in schools
Condition of anthologies/compilations limitation/exception	transcribed or summarized text to be different from produced work
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	transcribed or summarized text shall not be so extensive that it prejudices the interest for the source work
Subject to Attribution	author
Subject to Remuneration	if transcription exceeds such limits, equitable remuneration payable to author

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Saudi Arabia

1. Legislation Reviewed

Copyright Law (promulgated by Royal Decree No. M/41 of 2 Rajab, 1424 (August 30th,2003))

2. Private/Personal Use

Provision	Art. 15(1)
Scope of private/personal use	copying
Type(s) of source work(s)	a work, in its original language or in translation
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	audio and audio-visual works, computer software
Subject to Attribution	
Subject to Remuneration	not required ("without obtaining the permission of the copyright owner")

3. Quotations

Provision	Art. 15(2)
Scope of quotation	quoting, in another work
Type(s) of source work(s)	a work, in its original language or in translation, including journalistic summaries abstracted from newspapers and periodicals
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation be consistent with the conventional practice quotation is within the limits justified by the intended objective
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without obtaining the permission of the copyright owner")

Provision	Art. 15(11)
Scope of quotation	citing
Type(s) of source work(s)	parts of scientific articles and works
Entity exercising quotation	research institutions
Purpose of quotation	internal use or to fulfil the requirements of those who are conducting studies and research
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	not required ("without obtaining the permission of the copyright owner")

4. Research/Educational Reproduction

Provision	Art. 15(3)
Scope of research/educational reproduction	using, by way of clarification
Type(s) of source work(s)	a work, in its original language or in translation
Entity exercising reproduction	
Purpose of educational reproduction	educational purposes
Condition of reproduction	
Frequency/copies and limits	within the limits justified by the intended objective ²⁵⁵⁷
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("without obtaining the permission of the copyright owner")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 15(9)
Scope of anthologies/compilations limitation/exception	copying, in school books prepared for educational curricula or in books of history, literature and art
Type(s) of source work(s)	published works, drawings, pictures, designs or maps
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	copying is within the limits of necessity
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("without obtaining the permission of the copyright owner")

6. School Performances

Provision	Art. 15(8)
Scope of school performance	music playing, acting, performing or showing
Type(s) of source work(s)	any work, in its original language or in translation, after publication
Entity exercising school performance	school theatre
Purpose of school performance	
Condition of school performance	such playing, performance or acting does not lead to direct or indirect financial gains
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("without obtaining the permission of

²⁵⁵⁷ Art. 15(3) conditions apply only to making copies for public libraries or non-commercial documentation centres.

	the copyright owner")
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7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 16
Nature of compulsory licence for translation for educational purposes	licence, for publication (and optionally translation)
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	the published work
Licence applicant/entity	
Purpose of licence	publication: publication of work serves the public interest translation: purpose is to make use of translation in educational curricula
Condition of licence	licence application may be made: * no copies of published work in its original language are made available in Saudi Arabia by the copyright owner to satisfy the general needs of the public/school/university education, at a price comparable to similar works in Saudi Arabia, upon the author's declining to make them so available * all editions of the original work or its Arabic translation are out of print, and copyright owner failed to make it available upon request * no translation has been published for work by owner of translation copyright or with his permission * heirs, successors of Saudi author decline to exercise the copyrights inherited by them, within 1 year of request by licence applicant licence terminated if owner has published or authorised the publishing of work/translation ²⁵⁵⁸
Compulsory licence fee(s)	Minister to specify remuneration payable by licensee to copyright owners for every license issued ²⁵⁵⁹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister

Provision	Art. 16
Nature of compulsory licence for reproduction for educational purposes	licence, for publication
Facilities provided in Paris Act, Appendix	NA

²⁵⁵⁸ Art. 16(2).²⁵⁵⁹ Art. 15(3).

Type(s) of source work(s)	the published work
Licence applicant/entity	
Purpose of licence	publication: publication of work serves the public interest
Condition of licence	<p>licence application may be made:</p> <ul style="list-style-type: none"> * no copies of published work in its original language are made available in Saudi Arabia by the copyright owner to satisfy the general needs of the public/school/university education, at a price comparable to similar works in Saudi Arabia, upon the author's declining to make them so available * all editions of the original work or its Arabic translation are out of print, and copyright owner failed to make it available upon request * heirs, successors of Saudi author decline to exercise the copyrights inherited by them, within 1 year of request by licence applicant <p>licence terminated if owner has published or authorised the publishing of work²⁵⁶⁰</p>
Compulsory licence fee(s)	Minister to specify remuneration payable by licensee to copyright owners for every license issued ²⁵⁶¹
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

²⁵⁶⁰ Art. 16(2).

²⁵⁶¹ Art. 15(3).

Senegal

1. Legislation Reviewed

Law No. 2008-09 of January 25, 2008 on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 38
Scope of private/personal use	communication
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	within a family circle
Condition of private/personal use	free of charge
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("may not prohibit")

Provision	Art. 40
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	intended for strictly personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings or other similar structures, reprographic reproduction of textbooks, musical scores, works of visual art in limited editions, electronic databases, computer programs
Subject to Attribution	
Subject to Remuneration	levy ²⁵⁶² payable on blank recording media (whether removable or not) and recording equipment ²⁵⁶³ , payable by importer, manufacturer, ²⁵⁶⁴ to account of CMOs ²⁵⁶⁵ to be distributed among approved authors, performers and producers of phonograms and videograms ²⁵⁶⁶

²⁵⁶² Art. 105 (providing that basis of remuneration, amount and payment procedure is determined by Private Copying Commission).

²⁵⁶³ Art. 105(a).

²⁵⁶⁴ Art. 107(1).

²⁵⁶⁵ Art. 108.

²⁵⁶⁶ Art. 104.

3. Quotations

Provision	Art. 44
Scope of quotation	analyses of and short quotations
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("may not prohibit")

4. Research/Educational Reproduction

Provision	Art. 42
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	purposes of illustration for teaching
Condition of reproduction	without the purpose of making a profit
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("may not prohibit")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 42
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of illustration for teaching
Condition of broadcast/communication/recording	without the purpose of making a profit
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("may not prohibit")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Serbia

1. Legislation Reviewed

Law on Copyright and Related Rights 2011

Law on the Amendments of the Law of Copyright and Related Rights 2012 (No. 119/2012)

Regulation on establishing the list of devices and objects for which there is liability to pay

2. Private/Personal Use

Provision	Art. 46
Scope of private/personal use	reproduce
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, videogram) ²⁵⁶⁷
Entity exercising private/personal use	a natural person
Purpose of private/personal use	personal noncommercial purposes
Condition of private/personal use	copies made shall not be placed on the market or be used for any other form of public communication of that work ²⁵⁶⁸
Frequency/copies and limits	
Preclusions (not part of private/personal use)	constructed works of architecture, new building constructions based on existing buildings, three-dimensional realizations of drawings for works of fine arts, reproduction of whole book as written works (unless copies have been sold out for at least two years), sheet music (except by manual copying), electronic databases, computer programs, recordings of the performance, presentation or showing of works scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁶⁹
Subject to Attribution	source, author ²⁵⁷⁰
Subject to Remuneration	fair compensatory remuneration ²⁵⁷¹ by levy on manufacturer/importer ²⁵⁷² of empty carriers of sound, picture and text, new devices for sound or visual recording and new devices for

²⁵⁶⁷ Arts. 144, 146.

²⁵⁶⁸ Art. 46(2).

²⁵⁶⁹ Art. 41(2) (applying this restriction to “any specific case” of limitations on copyright).

²⁵⁷⁰ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

²⁵⁷¹ Art. 39(8) (describing this as fair compensation which must take into account “the probable damage suffered by the author when his work is copied without his permission for personal non commercial use, [and] the application of technical measures of protection and other circumstances that can influence the correct calculation of the amount of this special remuneration”).

²⁵⁷² Art. 39(2), (3).

	photocopying or other devices with similar technology of copying ²⁵⁷³ , and commercial photocopying service providers, ²⁵⁷⁴ payable to CMOs, ²⁵⁷⁵ for distribution to authors, (performers, producers of phonograms and videograms) ²⁵⁷⁶
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3. Quotations

Provision	Art. 49
Scope of quotation	reproduction (or communicated to the public) [right of quotation]
Type(s) of source work(s)	short excerpts of a work of authorship, or individual short copyright protected works, which have been disclosed, or (a performance, phonogram, videogram) ²⁵⁷⁷
Entity exercising quotation	
Purpose of quotation	for illustration, confirmation or reference
Condition of quotation	mentioned parts or short works are integrated into another work without alterations clear indication that a reference is involved and in compliance with the fair practices
Preclusions (not part of quotation)	
Subject to Attribution	title, author, when and where quoted work was disclosed or published (if indicated on source)
Subject to Remuneration	not required ("without paying remuneration")

4. Research/Educational Reproduction

Provision	Art. 45
Scope of research/educational reproduction	multiply
Type(s) of source work(s)	works or (performances, phonograms, videograms) ²⁵⁷⁸
Entity exercising reproduction	public libraries, educational institutions, museums and archives
Purpose of educational reproduction	only for the own archive needs
Condition of reproduction	work is copied from the copy in [entity's] possession by such copying these institutions have no intention to realize direct or indirect economic or commercial benefit

²⁵⁷³ Art. 39(4).

²⁵⁷⁴ Art. 39(5).

²⁵⁷⁵ Art. 39(9).

²⁵⁷⁶ Art. 146.

²⁵⁷⁷ Art. 144 (applying limitations and exhaustion of copyright to related rights).

²⁵⁷⁸ Art. 144 (applying limitations and exhaustion of copyright to related rights).

Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁷⁹
Subject to Attribution	source, author ²⁵⁸⁰
Subject to Remuneration	not required ("without payment of the copyright remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 55
Scope of anthologies/compilations limitation/exception	copy, on paper or similar carrier, by photocopying or some other form of photographic or similar technology which gives similar results, if it concerns published works of several different authors,
Type(s) of source work(s)	parts of the published copyright protected works, individual short published copyright protected works in the field of science, literature and music or individual published copyright protected works in the field of photography, industrial and graphic design and cartography, or (performances, phonograms, videograms) ²⁵⁸¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	manual for tuition, examination or scientific research
Condition of anthologies/compilations limitation/exception	unless author explicitly prohibits
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	sheet music ²⁵⁸² scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁸³
Subject to Attribution	source, author ²⁵⁸⁴
Subject to Remuneration	obligation of payment for copyright remuneration

6. School Performances

Provision	Art. 44(1)
Scope of school performance	perform publicly or represent, in the shape of

²⁵⁷⁹ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

²⁵⁸⁰ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

²⁵⁸¹ Art. 144 (applying limitations and exhaustion of copyright to related rights).

²⁵⁸² Art. 55(2).

²⁵⁸³ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

²⁵⁸⁴ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

	direct presentation of a lecture in the process of tuition
Type(s) of source work(s)	published works or (performances, phonograms, videograms) ²⁵⁸⁵
Entity exercising school performance	
Purpose of school performance	non commercial purposes of education
Condition of school performance	
Preclusions (not part of school performance)	scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁸⁶
Subject to Attribution	source, author ²⁵⁸⁷
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 44(2)
Scope of school performance	public performance or representation at the school festivals
Type(s) of source work(s)	published works or (performances, phonograms, videograms) ²⁵⁸⁸
Entity exercising school performance	
Purpose of school performance	non commercial purposes of education
Condition of school performance	interpreters are not given compensation for their performance entrance is not charged
Preclusions (not part of school performance)	scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁸⁹
Subject to Attribution	source, author ²⁵⁹⁰
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 44(3)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	broadcasted school emissions, or (performances, phonograms, videograms) ²⁵⁹¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non commercial purposes of education
Condition of	

²⁵⁸⁵ Art. 144 (applying limitations and exhaustion of copyright to related rights).

²⁵⁸⁶ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

²⁵⁸⁷ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

²⁵⁸⁸ Art. 144 (applying limitations and exhaustion of copyright to related rights).

²⁵⁸⁹ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

²⁵⁹⁰ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

²⁵⁹¹ Art. 144 (applying limitations and exhaustion of copyright to related rights).

broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	by means of technical devices internally within the educational establishment
Preclusions (not part of broadcast/communication/recording)	scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ²⁵⁹²
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 49
Scope of broadcast/communication/recording	communicated to the public [right of quotation]
Type(s) of source work(s)	short excerpts of a work of authorship, or individual short copyright protected works, which have been disclosed, or (a performance, phonogram, videogram) ²⁵⁹³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for illustration, confirmation or reference
Condition of broadcast/communication/recording	mentioned parts or short works are integrated into another work without alterations clear indication that a reference is involved and in compliance with the fair practices
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author, when and where quoted work was disclosed or published (if indicated on source)
Subject to Remuneration	not required ("without paying remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 208a
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of his work to alter or remove technological measures to ensure for the "beneficiaries" legal access to copy of
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual conditions in a manner enabling members of the public to access them

²⁵⁹² Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

²⁵⁹³ Art. 144 (applying limitations and exhaustion of copyright to related rights).

	from a place and at a time individually chosen by them ²⁵⁹⁴)
Beneficiary exercising exception	“beneficiaries”: persons who have, on the basis of this law on the limitations of copyright, a legal access to a copy of the work/subject-matter
Purpose of exception	to enable beneficiaries to realize the material limitations of rights, in the shortest term possible
Condition of exception	right holder/importer/person who applied technological measure or has authority to remove them must clearly and visibly notify, on every copy of the work or subject matter of related rights, data on the used technological measures, and his name or title and contact address ²⁵⁹⁵

²⁵⁹⁴ Art. 208a(2), taken from EU Copyright Directive 2001/29, Art. 6(4).

²⁵⁹⁵ Art. 208a(3).

Seychelles

1. Legislation Reviewed

Copyright Act, 2014 (Act No. 5 of 2014)

2. Private/Personal Use

Provision	s 9
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ²⁵⁹⁶
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other construction, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of digital database, computer program ²⁵⁹⁷ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright"
Subject to Attribution	
Subject to Remuneration	not required ("permitted without the authorisation of the author or other owner of copyright")

3. Quotations

Provision	s 11
Scope of quotation	quotation
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a performance, phonogram, broadcast) ²⁵⁹⁸
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)

²⁵⁹⁶ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).

²⁵⁹⁷ S 15 (excepting use of the computer program and for backup/archival purposes).

²⁵⁹⁸ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).

Subject to Remuneration	not required ("permitted without authorisation of the author or other owner")
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4. Research/Educational Reproduction

Provision	s 12(1)(c)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to- face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence, under which such reproduction can be made, is available by collective administration organisation of which educational institution is or should be aware ²⁵⁹⁹
Frequency/copies and limits	reproduction of any particular work is an isolated one; if repeated, each occurrence be separate and unrelated not more than a single copy for each pupil or student and the teacher is made
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (on all copies if feasible) ²⁶⁰⁰
Subject to Remuneration	not required ("permitted without authorisation")

Provision	s 27(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

Provision	s 27(c)
Scope of research/educational reproduction	reproduction

²⁵⁹⁹ S 12(1)(c)(iii).

²⁶⁰⁰ S 12(2).

Type(s) of source work(s)	a performance, phonogram, broadcast (except performances and phonograms published as teaching or instructional materials)
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to- face teaching or distance teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(1)(a)
Scope of anthologies/compilations limitation/exception	utilisation, by way of illustration, in publications
Type(s) of source work(s)	a work that has lawfully been made available to the public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching or scientific research
Condition of anthologies/compilations limitation/exception	utilisation is compatible with fair practice
Frequency/copies and limits	utilisation not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (on all copies if feasible) ²⁶⁰¹
Subject to Remuneration	not required ("permitted without authorisation")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 12(1)(a)
Scope of broadcast/communication/recording	utilisation, by way of illustration, in broadcasting or sound or visual recordings
Type(s) of source work(s)	a work that has lawfully been made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	utilisation is compatible with fair practice

²⁶⁰¹ S 12(2).

Frequency/limits of broadcast/communication/recording	utilisation not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (on all copies if feasible) ²⁶⁰²
Subject to Remuneration	not required ("permitted without authorisation")

Provision	s 12(1)(b)
Scope of broadcast/communication/recording	utilisation by making available, in computer networks
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a performance, phonogram, broadcast) ²⁶⁰³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	access to the works is only available to enrolled pupils or students and their teachers
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (on all copies if feasible) ²⁶⁰⁴
Subject to Remuneration	not required ("permitted without authorisation")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 32
Scope of TPM/RMI exception	notwithstanding effective technological measures applied to work/ other subject-matter, necessary means be ordered by Registrar or court to be made available to beneficiaries
Type(s) of source work(s)	work/other subject-matter (but not applicable to works/subject-matter made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ²⁶⁰⁵)
Beneficiary exercising exception	"beneficiaries": users who seek to exercise an exception or limitation in, <i>inter alia</i> , teaching or scientific research (s 12)
Purpose of exception	to the extent required for beneficiaries to benefit from the exceptions/limitations

²⁶⁰² S 12(2).

²⁶⁰³ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).

²⁶⁰⁴ S 12(2).

²⁶⁰⁵ S 32(4), taken from EU Copyright Directive 2001/29, Art. 6(4).

Condition of exception	
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Sierra Leone

1. Legislation Reviewed

The Copyright Act, 2011 (Act No. 8 of 2011)

2. Private/Personal Use

Provision	s 27
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or any other construction, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ²⁶⁰⁶ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright" ²⁶⁰⁷
Subject to Attribution	
Subject to Remuneration	not required ("without the authorization of the author or other owner of copyright")

Provision	s 42(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, broadcast, sound recording or audio-visual work
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

²⁶⁰⁶ S 34 (excepting use of the computer program and for backup/archival purposes; provision refers to s 28, which appears to be erroneous).

²⁶⁰⁷ S 27(2)(e).

Provision	s 29
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the author or other owner of copyright")

Provision	s 42(d)
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, sound recording, audiovisual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

4. Research/Educational Reproduction

Provision	s 30(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by Collecting Society of which educational institution is or should be aware, under which reproduction can be made
Frequency/copies and limits	reproduction is an isolated one; if repeated, each occurrence be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the author

	or other owner of copyright")
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5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 30(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing
Type(s) of source work(s)	a short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the author or other owner of copyright")

6. School Performances

Provision	s 42(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, broadcast, sound recording or audio-visual work
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 30(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in sound or visual recording
Type(s) of source work(s)	a short part of a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice
Frequency/limits of broadcast/communication/recording	reproduction does not exceed extent justified by the purpose
Preclusions (not part of	

broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the author or other owner of copyright")

Provision	s 42(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, broadcast, sound recording or audio-visual work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Singapore

1. Legislation Reviewed

Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015)

2. Private/Personal Use

Provision	ss 35, 109
Scope of private/personal use	fair dealing or adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶⁰⁸ or "audio-visual item" ²⁶⁰⁹
Entity exercising private/personal use	
Purpose of private/personal use	include research and study ²⁶¹⁰
Condition of private/personal use	to determine if dealing/adaptation constitutes fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price.
Frequency/copies and limits	dealings deemed to be fair dealing for purpose of research or study: (a) if the work or adaptation comprises an article in a periodical publication, of the whole or a part of that work or adaptation (but not if another article in that publication that deals with a different subject-matter is also copied); (b) in any other case, of not more than a reasonable portion of the work or adaptation ²⁶¹¹
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement")

²⁶⁰⁸ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

²⁶⁰⁹ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶¹⁰ Ss 35(1A), 109(1A).

²⁶¹¹ S 35(3).

Provision	s 246(1) (“exempt recording”: definition para. (a))
Scope of private/personal use	making a direct ²⁶¹² or indirect sound ²⁶¹³ recording
Type(s) of source work(s)	a performance ²⁶¹⁴ [as an “exempt recording” ²⁶¹⁵]
Entity exercising private/personal use	
Purpose of private/personal use	solely for private and domestic use of person who made recording
Condition of private/personal use	recording ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁶¹⁶ recording/copy of recording is not taken to have been made for private and domestic use of person who made it if made for purpose of sale, hire, trade, distribution, exhibiting in public, broadcasting or causing it to be seen or heard in public ²⁶¹⁷
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required (“recording” means a sound recording other than an exempt recording”)

Note: s 246(f) and (g) exemptions for recordings made by, or on behalf of, institutions assisting persons with reading disabilities or intellectually handicapped persons.

3. Quotations

Provision	ss 36, 110
Scope of quotation	fair dealing, or an adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶¹⁸ “audio-visual item” ²⁶¹⁹
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work/audio-visual item or of another work/audio-visual item
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title of work/audio-visual item (or other description), author (unless anonymous, pseudonymous or author has previously agreed

²⁶¹² S 246(1) (defining “direct recording” as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶¹³ S 246(1) (defining “recording” as a sound recording other than an exempt recording).

²⁶¹⁴ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁶¹⁵ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

²⁶¹⁶ S 248(3)-(4).

²⁶¹⁷ S 249.

²⁶¹⁸ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

²⁶¹⁹ S 102 (defining “audiovisual item” as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

	or directed that an acknowledgment is not to be made) ²⁶²⁰
Subject to Remuneration	not required ("shall not constitute an infringement")

Provision	s 246(1) ("exempt recording": definition para. (h)(ii))
Scope of quotation	making a direct ²⁶²¹ or indirect sound ²⁶²² recording
Type(s) of source work(s)	a performance ²⁶²³ [as an "exempt recording" ²⁶²⁴]
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	recording ceases to be "exempt recording" if it is used for any other purpose without the authority of the performer ²⁶²⁵
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("recording" means a sound recording other than an exempt recording")

4. Research/Educational Reproduction

Provision	ss 35, 109
Scope of research/educational reproduction	fair dealing or adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶²⁶ or "audio-visual item" ²⁶²⁷
Entity exercising reproduction	
Purpose of educational reproduction	include research and study ²⁶²⁸
Condition of reproduction	to determine if dealing/adaptation constitutes fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential

²⁶²⁰ S 7(1) (defining "sufficient acknowledgment").

²⁶²¹ S 246(1) (defining "direct recording" as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶²² S 246(1) (defining "recording" as a sound recording other than an exempt recording).

²⁶²³ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁶²⁴ S 248A (defining a "recording" of a performance as excluding an "exempt recording").

²⁶²⁵ S 248(3).

²⁶²⁶ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

²⁶²⁷ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶²⁸ Ss 35(1A), 109(1A).

	market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price.
Frequency/copies and limits	dealings deemed to be fair dealing for purpose of research or study: (a) if the work or adaptation comprises an article in a periodical publication, of the whole or a part of that work or adaptation (but not if another article in that publication that deals with a different subject-matter is also copied); (b) in any other case, of not more than a reasonable portion of the work or adaptation ²⁶²⁹
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement")

Provision	s 50A
Scope of research/educational reproduction	copying, not by means of a reprographic process ²⁶³⁰
Type(s) of source work(s)	works
Entity exercising reproduction	person conducting or undergoing the course of education
Purpose of educational reproduction	for the purposes of a course of education
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 51(1)
Scope of research/educational reproduction	making one or more copies or communication
Type(s) of source work(s)	a part of the work in an edition of the work, including an edition of works that include that work ²⁶³¹
Entity exercising reproduction	any person
Purpose of educational reproduction	for purposes of a course of education provided by educational institution
Condition of reproduction	
Frequency/copies and limits	copying is carried out on the premises of an educational institution, including making a copy of

²⁶²⁹ S 35(3).

²⁶³⁰ S 50A(2) (defining a "reprographic process" as a process for making facsimile copies or an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a cinematograph film or sound recording).

²⁶³¹ S 51(6)(a).

	<p>part of work on network operated or controlled by educational institution to enable persons undertaking a course of education provided by the educational institution to access the work ["distance learning"]²⁶³²</p> <p>no copying of the whole of the work²⁶³³</p> <p>for non-electronic edition of work or electronic edition divided into pages: not more than 5 pages of work in an edition of work, or not more than 5% of total number of pages if edition has more than 500 pages²⁶³⁴</p> <p>for electronic edition of work not divided into pages: not more than 5% of total number of bytes, 5% of total number of words or 5% of contents of edition²⁶³⁵</p> <p>no reproduction under this provision of any other part of same work within 14 days of previous reproduction²⁶³⁶</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 52
Scope of research/educational reproduction	making of copies (including in an electronic form on a network operated or controlled by educational institution or another educational institution) ²⁶³⁷
Type(s) of source work(s)	<p>whole or part of:</p> <ul style="list-style-type: none"> • an article in a periodical publication²⁶³⁸ • a work (other than an article contained in a periodical publication)²⁶³⁹ <p>including artistic works included for purposes of explaining or illustrating the article or other work²⁶⁴⁰</p>
Entity exercising reproduction	by, or on behalf of, a body administering an educational institution
Purpose of educational reproduction	for the educational purposes of the institution or

²⁶³² S 51(6)(b).
²⁶³³ S 51(2).
²⁶³⁴ S 51(3).
²⁶³⁵ S 51(4).
²⁶³⁶ S 51(5).
²⁶³⁷ S 52(14).
²⁶³⁸ S 52(1).
²⁶³⁹ S 52(2).
²⁶⁴⁰ S 53.

	of another educational institution (including [correspondence course or external study course] enabling persons undertaking a course of education provided by the institution or another educational institution to access the work/article) ²⁶⁴¹
Condition of reproduction	copyright is not infringed if prescribed record of copying made, by or on behalf of educational institution, as soon as practicable, in writing or any other manner in accordance with prescribed form ²⁶⁴² prescribed record to reference copies of an article/reasonable portion of work made for distribution to persons undertaking a correspondence course, or an external study course (otherwise than as a part of the lecture notes prepared in connection with that course) ²⁶⁴³
Frequency/copies and limits	does not apply to copies of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter ²⁶⁴⁴ does not apply to copies of, or parts of, more than a reasonable portion of a work that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that copies (not secondhand copies) are not available within a reasonable time at an ordinary commercial price ²⁶⁴⁵
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	body administering educational institution shall make equitable remuneration (as agreed upon between owner and body or as determined by Copyright Tribunal) for making of copies, to copyright owner, upon request in writing by owner ²⁶⁴⁶

Provision	ss 52A, 115B
Scope of research/educational reproduction	anything done

²⁶⁴¹ S 52(14).

²⁶⁴² S 52(6), (7), (8).

²⁶⁴³ S 52(9), (10).

²⁶⁴⁴ S 52(4).

²⁶⁴⁵ S 52(5).

²⁶⁴⁶ S 52(11) (providing that copies to be remunerated are “not being copies stated in the record to be copies to which subsection (9) or (10) applies [correspondence course/external study course]”).

Type(s) of source work(s)	a work, "audio-visual item" ²⁶⁴⁷
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, whether by way of setting the questions, communicating the questions to the candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	s 115A
Scope of research/educational reproduction	copying in the making of a cinematograph film, or a sound-track associated with the visual images forming part of a cinematograph film
Type(s) of source work(s)	a sound recording, cinematograph film, television broadcast, sound broadcast or cable programme
Entity exercising reproduction	a person giving or receiving such instruction
Purpose of educational reproduction	course of instruction, or preparation for instruction, in the making of a cinematograph film or sound-track associated with the visual images forming part of a cinematograph film
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 40
Scope of anthologies/compilations limitation/exception	inclusion, in a collection of of literary, dramatic, musical or artistic works contained in a book, sound recording or cinematograph film
Type(s) of source work(s)	a short extract from a published work/published edition ²⁶⁴⁸ or adaptation
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use by educational institutions
Condition of anthologies/compilations	collection is described as being intended for use

²⁶⁴⁷ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶⁴⁸ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

limitation/exception	by places of education in an appropriate place/label in book, record, film work or adaptation was not published for the purpose of being used by educational institutions
Frequency/copies and limits	in addition to extract in question, not more than 2 or more extracts from works/adaptations by same author ²⁶⁴⁹ contained in collection or similar collection by same publisher within 5 year period ²⁶⁵⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ²⁶⁵¹
Subject to Remuneration	not required ("copyright ... is not infringed")

Provision	ss 35, 109
Scope of anthologies/compilations limitation/exception	fair dealing or adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶⁵² or "audio-visual item" ²⁶⁵³
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	include research and study ²⁶⁵⁴
Condition of anthologies/compilations limitation/exception	to determine if dealing/adaptation constitutes fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a

²⁶⁴⁹ S 83 (explaining that author includes works of joint authorship, so that works by any one or more of the authors of the extract concerned will count towards the preclusion).

²⁶⁵⁰ S 40(2).

²⁶⁵¹ S 10(1) (defining "sufficient acknowledgment").

²⁶⁵² S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

²⁶⁵³ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶⁵⁴ Ss 35(1A), 109(1A).

	reasonable time at an ordinary commercial price.
Frequency/copies and limits	dealings deemed to be fair dealing for purpose of research or study: (a) if the work or adaptation comprises an article in a periodical publication, of the whole or a part of that work or adaptation (but not if another article in that publication that deals with a different subject-matter is also copied); (b) in any other case, of not more than a reasonable portion of the work or adaptation ²⁶⁵⁵
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement")

6. School Performances

Provision	s 23
Scope of school performance	performance, or causing sounds/visual images to be heard and seen ²⁶⁵⁶
Type(s) of source work(s)	a musical work ²⁶⁵⁷ , a literary or dramatic work ²⁶⁵⁸ , a cinematograph film, a broadcast, a cable programme, a recording of performance
Entity exercising school performance	performed by students or staff ²⁶⁵⁹ of an educational institution
Purpose of school performance	in the course of activities of an educational institution
Condition of school performance	performed in premises of institution or elsewhere in presence of an audience for literary or dramatic work: audience is limited to persons who are taking part in the instruction or are otherwise "directly connected" ²⁶⁶⁰ with the place where the instruction is given
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("performance ... deemed not to be a performance in public")

Provision	s 23
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²⁶⁵⁵ S 35(3).

²⁶⁵⁶ S 23(4).

²⁶⁵⁷ S 23(1).

²⁶⁵⁸ S 23(2).

²⁶⁵⁹ S 23(5) (extending the definition of "staff" to include any adjunct staff and person engaged by the educational institution to conduct any course of instruction, activity or programme of or offered by the educational institution).

²⁶⁶⁰ S 23(3) ("a person shall be deemed to be directly connected with a place where instruction is given if he is a parent, guardian, brother or sister of a student who receives instruction at that place").

Scope of school performance	fair dealing or adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶⁶¹ or "audio-visual item" ²⁶⁶²
Entity exercising school performance	
Purpose of school performance	include research and study ²⁶⁶³
Condition of school performance	to determine if dealing/adaptation constitutes fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price. dealings deemed to be fair dealing for purpose of research or study: (a) if the work or adaptation comprises an article in a periodical publication, of the whole or a part of that work or adaptation (but not if another article in that publication that deals with a different subject-matter is also copied); (b) in any other case, of not more than a reasonable portion of the work or adaptation ²⁶⁶⁴
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement")

7. Educational Broadcasts/Communications/Recordings

Provision	ss 35, 109
Scope of broadcast/communication/recording	fair dealing or adaptation
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ²⁶⁶⁵ or "audio-visual item" ²⁶⁶⁶

²⁶⁶¹ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

²⁶⁶² S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶⁶³ Ss 35(1A), 109(1A).

²⁶⁶⁴ S 35(3).

²⁶⁶⁵ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	include research and study ²⁶⁶⁷
Condition of broadcast/communication/recording	to determine if dealing/adaptation constitutes fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement")

Provision	s 51(1A)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a part of the work in an edition of the work, including an edition of works that include that work ²⁶⁶⁸
Entity exercising broadcast/communication/recording	any person
Purpose of broadcast/communication/recording	for purposes of a course of education provided by educational institution
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	communication is initiated from the premises of an educational institution ["distance learning"] for non-electronic edition of work or electronic edition divided into pages: not more than 5 pages of work in an edition of work, or not more than 5%

²⁶⁶⁶ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

²⁶⁶⁷ Ss 35(1A), 109(1A).

²⁶⁶⁸ S 51(6)(a).

	<p>of total number of pages if edition has more than 500 pages²⁶⁶⁹</p> <p>for electronic edition of work not divided into pages: not more than 5% of total number of bytes, 5% of total number of words or 5% of contents of edition²⁶⁷⁰</p> <p>no communication under this provision of any other part of same work within 14 days of previous communication²⁶⁷¹</p>
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright ... is not infringed")

Provision	s 52
Scope of broadcast/communication/recording	communication (including in an electronic form on a network operated or controlled by educational institution or another educational institution) ²⁶⁷²
Type(s) of source work(s)	<p>whole or part of:</p> <ul style="list-style-type: none"> • an article in a periodical publication²⁶⁷³ • a work (other than an article contained in a periodical publication)²⁶⁷⁴ <p>including artistic works included for purposes of explaining or illustrating the article or other work²⁶⁷⁵</p>
Entity exercising broadcast/communication/recording	by, or on behalf of, a body administering an educational institution
Purpose of broadcast/communication/recording	for the educational purposes of the institution or of another educational institution (including [correspondence course or external study course] enabling persons undertaking a course of education provided by the institution or another educational institution to access the work/article) ²⁶⁷⁶
Condition of broadcast/communication/recording	<p>copyright is not infringed if prescribed record of communication made, by or on behalf of educational institution, as soon as practicable, in writing or any other manner in accordance with prescribed form²⁶⁷⁷</p> <p>prescribed record to reference communication of</p>

²⁶⁶⁹ S 51(3).

²⁶⁷⁰ S 51(4).

²⁶⁷¹ S 51(5A).

²⁶⁷² S 52(15).

²⁶⁷³ S 52(1).

²⁶⁷⁴ S 52(2).

²⁶⁷⁵ S 53.

²⁶⁷⁶ S 52(15).

²⁶⁷⁷ S 52(7C), (7D), (8).

	an article/reasonable portion of work to persons undertaking a correspondence course, or an external study course (otherwise than as a part of the lecture notes prepared in connection with that course) ²⁶⁷⁸
Frequency/limits of broadcast/communication/recording	does not apply to communication of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter ²⁶⁷⁹ does not apply to communication of, or more than a reasonable portion of, a work that has been separately published unless person making the communication or causes it to be communicated, is satisfied, after reasonable investigations, that copies (not secondhand copies) are not available within a reasonable time at an ordinary commercial price ²⁶⁸⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	body administering educational institution shall make equitable remuneration (as agreed upon between owner and body or as determined by Copyright Tribunal) for communicating works/articles, to copyright owner, upon request in writing by owner ²⁶⁸¹

Provision	s 115
Scope of broadcast/communication/recording	making of a record or cinematograph film
Type(s) of source work(s)	a sound broadcast, TV broadcast or cable programme
Entity exercising broadcast/communication/recording	made by, or on behalf of, person or authority in charge of educational institution
Purpose of broadcast/communication/recording	record/film used in the course of instruction at educational institution
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("not constitute an infringement of copyright in a work or [neighbouring rights]")

²⁶⁷⁸ S 52(11A), (11B).

²⁶⁷⁹ S 52(7A).

²⁶⁸⁰ S 52(7B).

²⁶⁸¹ S 52(11C) (providing that communications to be remunerated are "not a communication to which subsection (11A) or (11B) applies [correspondence course/external study course]").

Provision	s 246(1) (“exempt recording”: definition para. (b))
Scope of broadcast/communication/recording	making a direct ²⁶⁸² or indirect sound ²⁶⁸³ recording
Type(s) of source work(s)	a performance ²⁶⁸⁴ [as an “exempt recording” ²⁶⁸⁵]
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	recording ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁶⁸⁶
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“recording’ means a sound recording other than an exempt recording”)

Provision	s 246(1) (“exempt recording”: definition para. (c))
Scope of broadcast/communication/recording	making a direct ²⁶⁸⁷ or indirect sound ²⁶⁸⁸ recording
Type(s) of source work(s)	a performance ²⁶⁸⁹ [as an “exempt recording” ²⁶⁹⁰]
Entity exercising broadcast/communication/recording	by, or on behalf of, the body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of that institution or of another educational institution
Condition of broadcast/communication/recording	recording ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁶⁹¹
Frequency/limits of	

²⁶⁸² S 246(1) (defining “direct recording” as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶⁸³ S 246(1) (defining “recording” as a sound recording other than an exempt recording).

²⁶⁸⁴ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁶⁸⁵ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

²⁶⁸⁶ S 248(3).

²⁶⁸⁷ S 246(1) (defining “direct recording” as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶⁸⁸ S 246(1) (defining “recording” as a sound recording other than an exempt recording).

²⁶⁸⁹ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁶⁹⁰ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

²⁶⁹¹ S 248(3).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“recording’ means a sound recording other than an exempt recording”)

Provision	s 246(1) (“exempt recording”: definition para. (d))
Scope of broadcast/communication/recording	making a direct ²⁶⁹² or indirect sound ²⁶⁹³ recording
Type(s) of source work(s)	a performance ²⁶⁹⁴ [as an “exempt recording” ²⁶⁹⁵]
Entity exercising broadcast/communication/recording	recording is done by a person giving or receiving such instruction
Purpose of broadcast/communication/recording	in the course of instruction, or preparation for instruction, in the making of a cinematograph film or a sound-track associated with the visual images forming part of a cinematograph film
Condition of broadcast/communication/recording	recording ceases to be “exempt recording” if it is used for any other purpose without the authority of the performer ²⁶⁹⁶
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“recording’ means a sound recording other than an exempt recording”)

Provision	s 246(1) (“exempt recording”: definition para. (e))
Scope of broadcast/communication/recording	making a direct ²⁶⁹⁷ or indirect sound ²⁶⁹⁸ recording
Type(s) of source work(s)	a performance ²⁶⁹⁹ [as an “exempt recording” ²⁷⁰⁰]
Entity exercising broadcast/communication/recording	recording is done by a person giving or receiving such instruction
Purpose of	in the course of instruction, or preparation for

²⁶⁹² S 246(1) (defining “direct recording” as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶⁹³ S 246(1) (defining “recording” as a sound recording other than an exempt recording).

²⁶⁹⁴ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁶⁹⁵ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

²⁶⁹⁶ S 248(3).

²⁶⁹⁷ S 246(1) (defining “direct recording” as a recording made directly from the live performance or from a broadcast or rebroadcast, or a cable programme that includes the performance).

²⁶⁹⁸ S 246(1) (defining “recording” as a sound recording other than an exempt recording).

²⁶⁹⁹ S 246(1) (defining performance as meaning a performance of a dramatic work, a musical work, reading, recitation or delivery of a literary work, a dance or a circus act or a variety act or any similar presentation or show).

²⁷⁰⁰ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

broadcast/communication/recording	instruction, in the making of a cinematograph film or a sound-track associated with the visual images forming part of a cinematograph film
Condition of broadcast/communication/recording	recording ceases to be "exempt recording" if it is used for any other purpose without the authority of the performer ²⁷⁰¹
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("recording" means a sound recording other than an exempt recording")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 261D(1)(e)
Scope of TPM/RMI exception	circumventing technological access control measure
Type(s) of source work(s)	
Beneficiary exercising exception	person is engaged in a legitimate course of study, or employee is trained or experienced, in the field of encryption technology, or is doing so on behalf of someone so engaged, employed, trained, or experienced ²⁷⁰²
Purpose of exception	research on any encryption technology ²⁷⁰³
Condition of exception	circumvention relates to lawfully obtained copy of work/subject-matter/performance circumvention is done in good faith and necessary to conduct such research person has made reasonable effort to obtain such permission from copyright owner/performer

Provision	s 261D(1)(a)
Scope of TPM/RMI exception	circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising exception	educational institution
Purpose of exception	sole purpose of making an acquisition decision in relation to the work, subject-matter or recording ²⁷⁰⁴

²⁷⁰¹ S 248(3).²⁷⁰² S 261D(1)(e).²⁷⁰³ S 261D(1)(e).²⁷⁰⁴ S 261D(1)(a).

Condition of exception	work/subject-matter will not be otherwise available to the educational institution for making its acquisition decision if the circumvention is not done ²⁷⁰⁵
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²⁷⁰⁵ S 261D(1)(a).

Slovakia

1. Legislation Reviewed

Act No. 618/2003 on Copyright and Related Rights (as amended up to Act No. 283/2014 Coll.)

2. Private/Personal Use

Provision	Art. 24(1)
Scope of private/personal use	directly or indirectly make a copy
Type(s) of source work(s)	a released work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for his personal use and for non-commercial purposes
Condition of private/personal use	
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	works of architecture in the form of a project documentation of a structure or a building construction, whole or essential part of literary work or cartographic work, musical notation written on paper, an electronic database, computer program ²⁷⁰⁶
Subject to Attribution	
Subject to Remuneration	levy (remuneration) ²⁷⁰⁷ on blank recording media, technical device designated for making of reproductions of phonograms or audiovisual recordings, reprographic equipment, personal computer and paid reproduction services ²⁷⁰⁸ , payable by importer, manufacturer, service provider, etc. to account of CMOs ²⁷⁰⁹ to be distributed among authors, ²⁷¹⁰ (performers and producers of phonograms, audiovisual recording producers and broadcasters) ²⁷¹¹

Provision	Art. 24(2)
Scope of private/personal use	a copy, by transferring the work to paper or another similar basis by means of a technical device for making printed reproductions or other technical equipment
Type(s) of source work(s)	a copy of a work
Entity exercising private/personal use	a natural person or legal entity
Purpose of private/personal use	such a copy may be publicly distributed by sale or other form of transfer of title

²⁷⁰⁶ Art. 24(3). Art 35 (excepting use of the computer program, backup/archival purposes and study or verification of functionality).

²⁷⁰⁷ Art. 24(6) (providing that basis of remuneration, amount and payment procedure).

²⁷⁰⁸ Art. 24(6)(a)-(e).

²⁷⁰⁹ Art. 24(8).

²⁷¹⁰ Art. 24(4).

²⁷¹¹ Art. 69(1).

Condition of private/personal use	
Frequency/copies and limits	one copy
Preclusions (not part of private/personal use)	works of architecture in the form of a project documentation of a structure or a building construction, whole or essential part of literary work or cartographic work, musical notation written on paper, an electronic database, computer program ²⁷¹²
Subject to Attribution	
Subject to Remuneration	levy (remuneration) ²⁷¹³ on blank recording media, technical device designated for making of reproductions of phonograms or audiovisual recordings, reprographic equipment, personal computer and paid reproduction services ²⁷¹⁴ , payable by importer, manufacturer, service provider, etc. ²⁷¹⁵ to account of CMOs ²⁷¹⁶ to be distributed among authors ²⁷¹⁷

3. Quotations

Provision	Art. 25
Scope of quotation	use, in another work, in the form of quotation
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷¹⁸
Entity exercising quotation	
Purpose of quotation	exclusively for the purpose of the review or critique of the released work
Condition of quotation	use must be in accordance with customs scope does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, title, author/performer (if not anonymous)
Subject to Remuneration	not required ("not result in obligation to pay remuneration")

4. Research/Educational Reproduction

Provision	Art. 25
Scope of research/educational reproduction	use
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷¹⁹

²⁷¹² Art. 24(3). Art 35 (excepting use of the computer program, backup/archival purposes and study or verification of functionality).

²⁷¹³ Art. 24(6) (providing that basis of remuneration, amount and payment procedure).

²⁷¹⁴ Art. 24(6)(a)-(e).

²⁷¹⁵ Art. 107(1).

²⁷¹⁶ Art. 24(8).

²⁷¹⁷ Art. 24(5).

²⁷¹⁸ Art. 69(1).

²⁷¹⁹ Art. 69(1).

Entity exercising reproduction	
Purpose of educational reproduction	teaching, scientific and research purposes or artistic purposes
Condition of reproduction	use must be in accordance with customs
Frequency/copies and limits	scope does not exceed extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, title, author/performer (if not anonymous)
Subject to Remuneration	not required ("not result in obligation to pay remuneration")

Provision	Art. 28(2)
Scope of research/educational reproduction	a copy, by reprographic equipment
Type(s) of source work(s)	a short part of a released work, a short released work or a work of fine art
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes at "school" ²⁷²⁰
Condition of reproduction	purpose is not to acquire direct or indirect property benefit
Frequency/copies and limits	use does not exceed the scope justified by teaching purposes at school
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷²¹
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration to the author") ²⁷²²

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 28(1)
Scope of anthologies/compilations limitation/exception	creation of a copy, for its public distribution by other forms of assignment of title such as its sale
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷²³
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes at "school" ²⁷²⁴
Condition of anthologies/compilations limitation/exception	purpose is not to acquire direct or indirect property benefit
Frequency/copies and limits	use does not exceed the scope justified by

²⁷²⁰ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

²⁷²¹ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷²² Art. 28(4).

²⁷²³ Art. 69(1).

²⁷²⁴ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

	teaching purposes at school
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷²⁵
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration to the author") ²⁷²⁶

Provision	Art. 28(2)
Scope of anthologies/compilations limitation/exception	a copy, for its public distribution by other forms of assignment of title such as its sale
Type(s) of source work(s)	a short part of a released work, a short released work or a work of fine art
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes at "school" ²⁷²⁷
Condition of anthologies/compilations limitation/exception	purpose is not to acquire direct or indirect property benefit
Frequency/copies and limits	use does not exceed the scope justified by teaching purposes at school
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷²⁸
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration to the author") ²⁷²⁹

6. School Performances

Provision	Art. 30(1)(b)
Scope of school performance	use, at school exhibitions
Type(s) of source work(s)	a work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷³⁰
Entity exercising school performance	
Purpose of school performance	children, pupils, students or "school" ²⁷³¹ teachers are performing
Condition of school performance	exhibitions are free of charge
Preclusions (not part of school	

²⁷²⁵ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷²⁶ Art. 28(4).

²⁷²⁷ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

²⁷²⁸ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷²⁹ Art. 28(4).

²⁷³⁰ Art. 69(1).

²⁷³¹ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

performance)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷³²
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration")

Provision	Art. 30(1)(c)
Scope of school performance	use
Type(s) of source work(s)	school works, (performances, phonograms, audiovisual recordings, broadcasts) ²⁷³³
Entity exercising school performance	
Purpose of school performance	performance of tasks pertaining to the subject of activities of the "school" ²⁷³⁴
Condition of school performance	performance is free of charge
Preclusions (not part of school performance)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷³⁵
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷³⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching, scientific and research purposes or artistic purposes
Condition of broadcast/communication/recording	use must be in accordance with customs
Frequency/limits of broadcast/communication/recording	scope does not exceed extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷³⁷
Subject to Remuneration	not required ("not result in obligation to pay remuneration")

²⁷³² Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷³³ Art. 69(1).

²⁷³⁴ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

²⁷³⁵ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷³⁶ Art. 69(1).

²⁷³⁷ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

Provision	Art. 28(1)
Scope of broadcast/communication/recording	creation of a copy, for the communication to the public
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ²⁷³⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes at "school" ²⁷³⁹
Condition of broadcast/communication/recording	purpose is not to acquire direct or indirect property benefit
Frequency/limits of broadcast/communication/recording	use does not exceed the scope justified by teaching purposes at school
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, title, author/performer (if not anonymous) ²⁷⁴⁰
Subject to Remuneration	not required ("shall not result in an obligation to pay remuneration to the author") ²⁷⁴¹

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²⁷³⁸ Art. 69(1).

²⁷³⁹ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

²⁷⁴⁰ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

²⁷⁴¹ Art. 28(4).

Slovenia

1. Legislation Reviewed

Copyright and Related Rights Act of 30 March 1995 as last amended on December 15, 2006

2. Private/Personal Use

Provision	Art. 50(2)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ²⁷⁴²
Entity exercising private/personal use	a natural person
Purpose of private/personal use	
Condition of private/personal use	- on paper or similar medium by photographic or similar technique, or - on any other medium if for private use, if copies are not available to the public and not done for direct or indirect economic advantage
Frequency/copies and limits	no more than 3 copies
Preclusions (not part of private/personal use)	building of architectural structures, written work to the extent of the whole book (unless out of print for at least 2 years), ²⁷⁴³ musical notation (unless by handwritten transcription), ²⁷⁴⁴ electronic database, computer program extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author ²⁷⁴⁵
Subject to Attribution	
Subject to Remuneration	levy (equitable remuneration) for making a sound or visual fixation, and for photocopying of work ²⁷⁴⁶ payable on blank audio or video fixation media, appliances for sound or visual fixation or for photocopying and photocopies made for sale, ²⁷⁴⁷ payable by manufacturer, importer, paid photocopy service providers, ²⁷⁴⁸ to account of CMOs, to be distributed among approved authors, ²⁷⁴⁹ performers, ²⁷⁵⁰ producers of

²⁷⁴² Art. 4(2).²⁷⁴³ Art. 50(4).²⁷⁴⁴ Art. 50(5).²⁷⁴⁵ Art. 46.²⁷⁴⁶ Art. 37.²⁷⁴⁷ Art. 37.²⁷⁴⁸ Art. 38.²⁷⁴⁹ Art. 37.²⁷⁵⁰ Art. 123.

	phonograms, ²⁷⁵¹ film producers ²⁷⁵² and publishers ²⁷⁵³ otherwise: not required ("reproduction of a disclosed work shall be free") ²⁷⁵⁴
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3. Quotations

Provision	Art. 51
Scope of quotation	quotations
Type(s) of source work(s)	parts of a disclosed work and of single disclosed photographs, works of fine arts, architecture, applied art, industrial design and cartography, (a performance, phonogram, film, broadcast, published edition) ²⁷⁵⁵
Entity exercising quotation	
Purpose of quotation	illustration, argumentation or referral
Condition of quotation	
Preclusions (not part of quotation)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁵⁶
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("It shall be permissible")

4. Research/Educational Reproduction

Provision	Art. 50(3)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ²⁷⁵⁷ from [entity's] own copies
Entity exercising reproduction	publicly accessible archives and libraries, museums and educational or scientific establishments
Purpose of educational reproduction	for internal use
Condition of reproduction	not done for direct or indirect economic advantage
Frequency/copies and limits	no more than 3 copies
Preclusions (not part of research/educational reproduction)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal

²⁷⁵¹ Art. 131.

²⁷⁵² Art. 135.

²⁷⁵³ Art. 139.

²⁷⁵⁴ Art. 50(1).

²⁷⁵⁵ Art. 4(2).

²⁷⁵⁶ Art. 46.

²⁷⁵⁷ Art. 4(2).

	use of the work, and does not unreasonably prejudice the legitimate interests of the author ²⁷⁵⁸
Subject to Attribution	
Subject to Remuneration	levy (equitable remuneration) for making a sound or visual fixation, and for photocopying of work ²⁷⁵⁹ payable on blank audio or video fixation media, appliances for sound or visual fixation or for photocopying and photocopies made for sale, ²⁷⁶⁰ payable by manufacturer, importer, paid photocopy service providers, ²⁷⁶¹ to account of CMOs, to be distributed among approved authors, ²⁷⁶² performers, ²⁷⁶³ producers of phonograms, ²⁷⁶⁴ film producers ²⁷⁶⁵ and publishers ²⁷⁶⁶ otherwise: not required ("reproduction of a disclosed work shall be free") ²⁷⁶⁷

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 47(1).1
Scope of anthologies/compilations limitation/exception	reproduce, in readers and textbooks
Type(s) of source work(s)	parts of works, as well as single works of photography, fine arts, architecture, applied art, industrial design and cartography, as already disclosed works of a number of authors, (a performance, phonogram, film, broadcast, published edition) ²⁷⁶⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁶⁹

²⁷⁵⁸ Art. 46.

²⁷⁵⁹ Art. 37.

²⁷⁶⁰ Art. 37.

²⁷⁶¹ Art. 38.

²⁷⁶² Art. 37.

²⁷⁶³ Art. 123.

²⁷⁶⁴ Art. 131.

²⁷⁶⁵ Art. 135.

²⁷⁶⁶ Art. 139.

²⁷⁶⁷ Art. 50(1).

²⁷⁶⁸ Art. 4(2).

²⁷⁶⁹ Art. 46.

Subject to Attribution	source, author (if indicated) ²⁷⁷⁰
Subject to Remuneration	equitable remuneration payable ²⁷⁷¹

Provision	Art. 47(1).2
Scope of anthologies/compilations limitation/exception	reproduce, in periodical publications
Type(s) of source work(s)	articles on current topics of general interest published in other periodicals
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	author did not expressly prohibit [such reproductions]
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁷²
Subject to Attribution	source, author (if indicated) ²⁷⁷³
Subject to Remuneration	equitable remuneration payable ²⁷⁷⁴

6. School Performances

Provision	Art. 49(1).1
Scope of school performance	publicly perform
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ²⁷⁷⁵
Entity exercising school performance	
Purpose of school performance	direct teaching
Condition of school performance	
Preclusions (not part of school performance)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁷⁶
Subject to Attribution	source, author (if indicated) ²⁷⁷⁷
Subject to Remuneration	not required ("it shall be permissible")

Provision	Art. 49(1).2
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²⁷⁷⁰ Art. 47(3).

²⁷⁷¹ Art. 47(1).

²⁷⁷² Art. 46.

²⁷⁷³ Art. 47(3).

²⁷⁷⁴ Art. 47(1).

²⁷⁷⁵ Art. 4(2).

²⁷⁷⁶ Art. 46.

²⁷⁷⁷ Art. 49(2).

Scope of school performance	publicly perform, at school events
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ²⁷⁷⁸
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	free admission performers receive no payment for their performance
Preclusions (not part of school performance)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁷⁹
Subject to Attribution	source, author (if indicated) ²⁷⁸⁰
Subject to Remuneration	not required ("it shall be permissible")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 47(2)
Scope of broadcast/communication/recording	public communication ²⁷⁸¹
Type(s) of source work(s)	parts of works, as well as single works of photography, fine arts, architecture, applied art, industrial design and cartography, as already disclosed works of a number of authors, (performances, phonograms, films, broadcasts, published editions) ²⁷⁸²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	"extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author" ²⁷⁸³
Subject to Attribution	source, author (if indicated) ²⁷⁸⁴
Subject to Remuneration	on payment of equitable remuneration ²⁷⁸⁵

²⁷⁷⁸ Art. 4(2).

²⁷⁷⁹ Art. 46.

²⁷⁸⁰ Art. 49(2).

²⁷⁸¹ Art. 47(2) (applying Art. 47(1) mutatis mutandis to communications).

²⁷⁸² Art. 4(2).

²⁷⁸³ Art. 46.

²⁷⁸⁴ Art. 47(3).

²⁷⁸⁵ Art. 47(1).

Provision	Art. 49(1).3
Scope of broadcast/communication/recording	rebroadcast
Type(s) of source work(s)	a radio or television school broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ²⁷⁸⁶
Subject to Attribution	source, author (if indicated) ²⁷⁸⁷
Subject to Remuneration	not required ("it shall be permissible")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 166c
Scope of TPM/RMI exception	request to require rightholder, who used technological measures in respect of his work, to take appropriate means (except for agreements implemented by rightholder for this purpose) ²⁷⁸⁸
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ²⁷⁸⁹)
Beneficiary exercising exception	“beneficiaries”: users who have legal access to work/subject-matter for, <i>inter alia</i> , teaching (Art. 49), private and other internal reproduction (Art. 50)
Purpose of exception	means to enable “beneficiaries” to enforce the copyright and related rights limitations
Condition of exception	

²⁷⁸⁶ Art. 46.

²⁷⁸⁷ Art. 47(3).

²⁷⁸⁸ Art. 166c(4).1.

²⁷⁸⁹ Arts. 166c(4).2, 32a, taken from EU Copyright Directive 2001/29, Art. 6(4).

Somalia

1. Legislation Reviewed

Art. 142 (Existing Federal Member States in Somalia), Provisional Constitution of the Federal Republic of Somalia 2012

Copyright Law – Law No. 66 of 7 September 1977, Somali Democratic Republic²⁷⁹⁰

2. Private/Personal Use

Provision	Art. 35
Scope of private/personal use	reproduction, translation, adaptation, arrangement, transformation
Type(s) of source work(s)	a work ²⁷⁹¹
Entity exercising private/personal use	
Purpose of private/personal use	for personal use only
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 35
Scope of quotation	include in another work, illustrations and any other extracts (or quotations)
Type(s) of source work(s)	a protected work, or articles published in newspapers or periodicals
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	illustrations and other extracts (or quotations) should not exceed the extent justified by the purpose of their use
Preclusions (not part of quotation)	
Subject to Attribution	work: name of author or articles published in newspapers: authors (if signed), or source (if not signed)
Subject to Remuneration	

4. Research/Educational Reproduction

Provision	Art. 35
Scope of research/educational reproduction	reproduce, photocopy or otherwise publish
Type(s) of source work(s)	a literary, artistic or academic work, previously lawfully published
Entity exercising reproduction	public libraries, schools, colleges or any other

²⁷⁹⁰ Somalilandlaw.com, Somaliland Copyright Law, http://www.somalilandlaw.com/somaliland_copyright_law.html.

²⁷⁹¹ The status of neighbouring rights under Somalia's copyright laws is unclear.

	educational places
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	number of copies made shall not exceed the required number
Preclusions (not part of research/educational reproduction)	reproduction must not damage the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 35
Scope of anthologies/compilations limitation/exception	including in another work, illustrations or extracts
Type(s) of source work(s)	a work or a recording
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in schools, universities, training programmes and other similar places, only for educational purposes
Condition of anthologies/compilations limitation/exception	use shall not exceed intended purpose
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 34
Nature of compulsory licence for translation for educational purposes	binding order for use
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	scientific works
Purpose of licence	in the public interest
Condition of licence	where author or copyright owner has refused without a reason the necessary permission for the use of a work or has made the permission for use contingent on unreasonable conditions or on conditions whose fulfilment would involve insurmountable difficulties
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	

Grantor of compulsory licence	Minister
Provision	Art. 34
Nature of compulsory licence for reproduction for educational purposes	binding order for use
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	scientific works
Purpose of licence	in the public interest
Condition of licence	where author or copyright owner has refused without a reason the necessary permission for the use of a work or has made the permission for use contingent on unreasonable conditions or on conditions whose fulfilment would involve insurmountable difficulties
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

South Africa

1. Legislation Reviewed

Copyright Act, 1978 (Act No. 98 of 1978, as amended up to Copyright Amendment Act 2002)

2. Private/Personal Use

Provision	s 12(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ²⁷⁹² (in its original language or in a different language) ²⁷⁹³ , an artistic work, ²⁷⁹⁴ a broadcast, ²⁷⁹⁵ a published edition ²⁷⁹⁶
Entity exercising private/personal use	
Purpose of private/personal use	research or private study by, or the personal or private use of, the person using the work
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright shall not be infringed")

3. Quotations

Provision	s 12(1)(b)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary or musical work (and its adaptation), ²⁷⁹⁷ (in its original language or in a different language) ²⁷⁹⁸ , an artistic work, ²⁷⁹⁹ a cinematograph film, ²⁸⁰⁰ a sound recording, ²⁸⁰¹ a broadcast, ²⁸⁰² a published edition ²⁸⁰³
Entity exercising quotation	
Purpose of quotation	criticism or review of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("Copyright shall not be infringed")

²⁷⁹² S 12(9) (applying to s 12(1) to (7)).

²⁷⁹³ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

²⁷⁹⁴ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

²⁷⁹⁵ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

²⁷⁹⁶ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

²⁷⁹⁷ S 12(9) (applying to s 12(1) to (7)).

²⁷⁹⁸ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

²⁷⁹⁹ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

²⁸⁰⁰ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

²⁸⁰¹ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

²⁸⁰² S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

²⁸⁰³ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

Provision	s 12(3)
Scope of quotation	quotation
Type(s) of source work(s)	a literary or musical work (and its adaptation), ²⁸⁰⁴ (in its original language or in a different language) ²⁸⁰⁵ which is lawfully available to the public, articles in newspapers or periodicals that are in the form of summaries of any such work, a cinematograph film, ²⁸⁰⁶ a sound recording, ²⁸⁰⁷ a broadcast ²⁸⁰⁸
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("copyright ... shall not be infringed")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(4)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in any publication
Type(s) of source work(s)	a literary or musical work (and its adaptation), ²⁸⁰⁹ (in its original language or in a different language) ²⁸¹⁰ , an artistic work, ²⁸¹¹ a cinematograph film, ²⁸¹² a sound recording, ²⁸¹³ a broadcast, ²⁸¹⁴ a published edition ²⁸¹⁵
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	use to extent justified by the purpose
Preclusions (not part of	

²⁸⁰⁴ S 12(9) (applying to s 12(1) to (7)).

²⁸⁰⁵ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

²⁸⁰⁶ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

²⁸⁰⁷ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

²⁸⁰⁸ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

²⁸⁰⁹ S 12(9) (applying to s 12(1) to (7)).

²⁸¹⁰ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

²⁸¹¹ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

²⁸¹² S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

²⁸¹³ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

²⁸¹⁴ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

²⁸¹⁵ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("copyright ... shall not be infringed")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 12(4)
Scope of broadcast/communication/recording	use, by way of illustration in any broadcast or sound or visual record
Type(s) of source work(s)	a literary or musical work (and its adaptation), ²⁸¹⁶ (in its original language or in a different language) ²⁸¹⁷ , an artistic work, ²⁸¹⁸ a cinematograph film, ²⁸¹⁹ a sound recording, ²⁸²⁰ a broadcast, ²⁸²¹ a published edition ²⁸²²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	use to extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (if indicated)
Subject to Remuneration	not required ("copyright ... shall not be infringed")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes²⁸¹⁶ S 12(9) (applying to s 12(1) to (7)).²⁸¹⁷ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).²⁸¹⁸ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).²⁸¹⁹ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).²⁸²⁰ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).²⁸²¹ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).²⁸²² S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

Spain

1. Legislation Reviewed

Consolidated text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the Applicable Statutory Provisions (approved by Royal Legislative Decree No. 1/1996 of April 12, 1996, and last amended by Royal Decree-Law No. 20/2011 of December 30, 2011)

2. Private/Personal Use

Provision	Art. 31.2
Scope of private/personal use	reproduction, on any medium
Type(s) of source work(s)	works already made available to the public, which individual has lawfully acquired, [neighbouring rights] ²⁸²³
Entity exercising private/personal use	an individual
Purpose of private/personal use	for his private use
Condition of private/personal use	copy made is not for collective or profit-making use
Frequency/copies and limits	
Preclusions (not part of private/personal use)	electronic databases, computer programs ²⁸²⁴ reproduction to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸²⁵
Subject to Attribution	
Subject to Remuneration	not required ("author's licence shall not be required") ²⁸²⁶

3. Quotations

Provision	Art. 32.1
Scope of quotation	include in one's own work, by way of quotation or for analysis, comment or critical assessment
Type(s) of source work(s)	excerpts of the works (already made available to the public) of others, whether of written, sound or audiovisual character, and isolated works (already made available to the public) of three-dimensional or photographic, figurative character, [neighbouring rights] ²⁸²⁷
Entity exercising quotation	

²⁸²³ Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as abeing without prejudice to those accruing to authors).

²⁸²⁴ Art. 99.a.

²⁸²⁵ Art. 40bis.

²⁸²⁶ Art. 25 was repealed by Additional Provision 10.1 of Royal Decree-Law 20/2011, dated 30 December 2011.

²⁸²⁷ Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as abeing without prejudice to those accruing to authors).

Purpose of quotation	teaching or research purposes
Condition of quotation	to the extent justified by the purpose of the inclusion
Preclusions (not part of quotation)	use to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸²⁸
Subject to Attribution	source, author
Subject to Remuneration	not required ("It shall be lawful")

4. Research/Educational Reproduction

Provision	Art. 32.2
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	small excerpts of works (already made available to the public) or isolated works (already made available to the public) of three-dimensional or photographic, figurative character, excluding school and university textbooks, [neighbouring rights] ²⁸²⁹
Entity exercising reproduction	teachers in official education programs
Purpose of educational reproduction	illustrative educational activities in the classroom
Condition of reproduction	compilations or groupings of excerpts of works or of isolated works of three-dimensional or photographic, figurative characters are excluded
Frequency/copies and limits	to the degree justified by the non-commercial purpose sought
Preclusions (not part of research/educational reproduction)	reproduction, distribution to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸³⁰
Subject to Attribution	source, author
Subject to Remuneration	not required ("author's licence shall not be required")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 32.2
Scope of anthologies/compilations limitation/exception	reproduction, distribution ²⁸³¹
Type(s) of source work(s)	small excerpts of works (already made available to the public) or isolated works (already made available to the public) of three-dimensional or photographic, figurative character, excluding

²⁸²⁸ Art. 40bis.

²⁸²⁹ Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as being without prejudice to those accruing to authors).

²⁸³⁰ Art. 40bis.

²⁸³¹ Art. 19(1) (defining distribution as “the making available to the public of the original or copies of the work, in a tangible support, by means of sale, rental or lending or in any other manner whatsoever”).

	school and university textbooks, [neighbouring rights] ²⁸³²
Entity exercising anthologies/compilations limitation/exception	teachers in official education programs
Purpose of anthologies/compilations limitation/exception	illustrative educational activities in the classroom
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the degree justified by the non-commercial purpose sought
Preclusions (not part of anthologies/compilations limitation/exception)	compilations or groupings of excerpts of works or of isolated works of three-dimensional or photographic, figurative characters are excluded reproduction, distribution to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸³³
Subject to Attribution	source, author
Subject to Remuneration	not required ("author's licence shall not be required")

6. School Performances

Provision	Art. 32.2
Scope of school performance	public communication (which includes stage performances, recitations, dissertations and public performances of dramatic, dramatico-musical, literary and musical works by any means or process) ²⁸³⁴
Type(s) of source work(s)	small excerpts of works (already made available to the public) or isolated works (already made available to the public) of three-dimensional or photographic, figurative character, excluding school and university textbooks, [neighbouring rights] ²⁸³⁵
Entity exercising school performance	teachers in official education programs
Purpose of school performance	illustrative educational activities in the classroom
Condition of school performance	compilations or groupings of excerpts of works or of isolated works of three-dimensional or photographic, figurative character are excluded to the degree justified by the non-commercial purpose sought

²⁸³² Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as abeing without prejudice to those accruing to authors).

²⁸³³ Art. 40bis.

²⁸³⁴ Art. 20.2(a).

²⁸³⁵ Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as abeing without prejudice to those accruing to authors).

Preclusions (not part of school performance)	reproduction, distribution to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸³⁶
Subject to Attribution	source, author
Subject to Remuneration	not required ("author's licence shall not be required")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 32.2
Scope of broadcast/communication/recording	public communication (which includes transmission of any works by radio or other means, and making works available to the public, through wire or wireless procedures, so that any person may access such works from the place and at the time such person may choose) ²⁸³⁷
Type(s) of source work(s)	small excerpts of works (already made available to the public) or isolated works (already made available to the public) of three-dimensional or photographic, figurative character, excluding school and university textbooks, [other intellectual property rights] ²⁸³⁸
Entity exercising broadcast/communication/recording	teachers in official education programs
Purpose of broadcast/communication/recording	illustrative educational activities in the classroom
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the degree justified by the non-commercial purpose sought
Preclusions (not part of broadcast/communication/recording)	compilations or groupings of excerpts of works or of isolated works of three-dimensional or photographic, figurative character are excluded reproduction, distribution to not unreasonably prejudice the author's legitimate interests or adversely affect the normal exploitation of works to which they refer ²⁸³⁹
Subject to Attribution	source, author
Subject to Remuneration	

²⁸³⁶ Art. 40bis.

²⁸³⁷ Art. 20.2(c), (i).

²⁸³⁸ Art. 131 (providing that the other intellectual property rights – performances, phonograms, audiovisual recordings, broadcasts, ordinary photographs and specific editorial productions - shall be construed as abeing without prejudice to those accruing to authors).

²⁸³⁹ Art. 40bis.

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 161
Scope of TPM/RMI exception	require rightholder who used effective technological measures in respect of his work/services [sic] to provide for the “beneficiaries” of the limits the adequate means to enjoy them, according to their purpose
Type(s) of source work(s)	work/services (but not applicable to works/services -matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ²⁸⁴⁰)
Beneficiary exercising exception	“beneficiaries”: users who reproduce work/subject-matter for, <i>inter alia</i> , private copying (Art. 31.2), for illustration for teaching or scientific research (Art. 32.2),
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	provision shall not prevent rightholder to works/services from adopting, <i>inter alia</i> , technological measures, with regard to the number of reproductions made as private copies, and such beneficiaries pursuant to Art. 31.2 may not demand removal of such technological measures ²⁸⁴¹

Note: Art. 37 (reproduction, lending, and consultation by means of specialized terminal in Specific Establishments (museums, libraries, record libraries, film libraries, newspaper libraries or archives) – reproductions and lending activities outside scope of this study)

²⁸⁴⁰ Art. 161(5) proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

²⁸⁴¹ art. 161(4).

Sri Lanka

1. Legislation Reviewed

Intellectual Property Act, No. 36 of 2003

2. Private/Personal Use

Provision	s 12(1)
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a lawful copy of a published work
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture the form of a building or other constructions, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ²⁸⁴² , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of the copyright" ²⁸⁴³
Subject to Attribution	
Subject to Remuneration	not required ("permitted without the authorization of the owner")

Provision	s 21(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

Provision	s 11(1)
Scope of quotation	fair use, including such use by reproduction in copies or by any other means

²⁸⁴² S 12(7) (excepting use of the computer program and for backup/archival purposes).

²⁸⁴³ S 12(2)(e).

Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²⁸⁴⁴
Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use is fair use, the following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be an infringement of copyright")

Provision	s 12(3)
Scope of quotation	reproduction in the form of quotation
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ²⁸⁴⁵
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("without authorization of the owner")

4. Research/Educational Reproduction

Provision	s 11(1)
Scope of research/educational reproduction	fair use, including such use by reproduction in copies or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²⁸⁴⁶
Entity exercising reproduction	
Purpose of educational reproduction	teaching (including multiple copies for classroom use), scholarship or research

²⁸⁴⁴ S 21(d) (applying copyright limitations and exceptions to related rights).

²⁸⁴⁵ S 21(d) (applying copyright limitations and exceptions to related rights).

²⁸⁴⁶ S 21(d) (applying copyright limitations and exceptions to related rights). This however may be subject to an interpretation as to whether s 21(c) excludes the extension of this copyright limitation and exception to the broader class of "teaching" and "research" as opposed to "face-to-face teaching" and "scientific research".

Condition of reproduction	to determine if use is fair use, the following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be an infringement of copyright")

Provision	s 12(4)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works, (performances, sound recordings, broadcasts) ²⁸⁴⁷
Entity exercising reproduction	
Purpose of educational reproduction	face to face teaching in any educational institution
Condition of reproduction	activities of which do not serve direct or indirect commercial gain
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose reproduction is an isolated act; if repeated, each occurrence should be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (if indicated on source, on all copies if practicable)
Subject to Remuneration	not required ("permitted without the authorization of the owner")

Provision	s 21(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	performances, sound recordings, broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to-face teaching activities or for

²⁸⁴⁷ S 21(d) (applying copyright limitations and exceptions to related rights).

	scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(4)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ²⁸⁴⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if indicated on source, on all copies if practicable)
Subject to Remuneration	not required (“permitted without the authorization of the owner”)

6. School Performances

Provision	s 12(10)(a)
Scope of school performance	performance or display
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²⁸⁴⁹
Entity exercising school performance	government or non profit educational institutions
Purpose of school performance	educational or teaching purposes
Condition of school performance	in classrooms or similar places set aside for education audiovisual work: performance or display of individual images, is given by means of a lawfully made copy, or the person responsible for the performance did not know or had no reason to believe that the copy was not lawfully made
Preclusions (not part of school	

²⁸⁴⁸ S 21(d) (applying copyright limitations and exceptions to related rights).

²⁸⁴⁹ S 21(d) (applying copyright limitations and exceptions to related rights).

performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be an infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ²⁸⁵⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (including multiple copies for classroom use), scholarship or research
Condition of broadcast/communication/recording	to determine if use is fair use, the following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be an infringement of copyright")

Provision	s 21(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performances, sound recordings, broadcasts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for face-to-face teaching activities or for scientific research
Condition of	

²⁸⁵⁰ S 21(d) (applying copyright limitations and exceptions to related rights). This however may be subject to an interpretation as to whether s 21(c) excludes the extension of this copyright limitation and exception to the broader class of "teaching" and "research" as opposed to "face-to-face teaching" and "scientific research".

broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Sudan

1. Legislation Reviewed

The Copyright and Neighboring Rights Protection Act 1996

2. Private/Personal Use

Provision	s 14(4)
Scope of private/personal use	reproduce, translate or adapt
Type(s) of source work(s)	a published work, (a performance, sound recording, audiovisual recording, broadcast) ²⁸⁵¹
Entity exercising private/personal use	
Purpose of private/personal use	personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	musical scores, databases, computer programs
Subject to Attribution	
Subject to Remuneration	not required ("It shall be allowed")

Provision	s 33(1)(a)
Scope of private/personal use	act/use
Type(s) of source work(s)	a performance, sound recording, audiovisual recording, broadcast ²⁸⁵²
Entity exercising private/personal use	
Purpose of private/personal use	personal or private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

4. Research/Educational Reproduction

Provision	s 14(6)
Scope of research/educational reproduction	reproduce
Type(s) of source work(s)	short works, articles or short part of a published work
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	illustrating in the teaching process

²⁸⁵¹ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

²⁸⁵² Ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts).

Condition of reproduction	non-commercial purpose of illustrating in the teaching process
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be authorized")

Provision	s 14(7)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	scientific articles, short scientific works or short parts thereof
Entity exercising reproduction	private commercial research institutions
Purpose of educational reproduction	internal purposes to satisfy the requirements of persons studying or carrying out research work
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be authorized")

Provision	s 33(1)(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, sound recording, audiovisual recording, broadcast ²⁸⁵³
Entity exercising reproduction	
Purpose of educational reproduction	solely for teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 14(3)
Scope of anthologies/compilations limitation/exception	make/reproduce, in connection with publication of school textbooks or books prepared for educational purposes or books of history, literature or art
Type(s) of source work(s)	- short quotations from works already published - any published drawing, photograph, design,

²⁸⁵³ Ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts).

	inscription or map - (a performance, sound recording, audiovisual recording, broadcast) ²⁸⁵⁴
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	drawing, photograph, design, inscription or map: reproduction is restricted to what is necessary for the purpose of illustrating the written text
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author ²⁸⁵⁵
Subject to Remuneration	not required ("it shall be allowed")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 14(6)
Scope of broadcast/communication/recording	incorporation in school broadcasts or sound recordings
Type(s) of source work(s)	short works, articles or short part of a published work, (performances, sound recordings, audiovisual recordings, broadcasts) ²⁸⁵⁶
Entity exercising broadcast/communication/recording	educational institutions
Purpose of broadcast/communication/recording	illustrating in the teaching process
Condition of broadcast/communication/recording	non-commercial purpose of illustrating/teaching
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be authorized")

Provision	s 33(1)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, audiovisual

²⁸⁵⁴ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

²⁸⁵⁵ S 14(3)(c).

²⁸⁵⁶ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

	recording, broadcast ²⁸⁵⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for teaching or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required (“[neighbouring rights] shall not apply”)

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

²⁸⁵⁷ Ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts).

Suriname

1. Legislation Reviewed

Law of 22 March 1913 laying down new rules on Copyright (G.B. 1913 No. 15), as it stands after the amendments thereto in G.B. 1915 No. 78, G.B. 1946 No. 2, G.B. 1946 No. 77

[translated version did not include amendments via G.B. 1959 No. 76, S.B. 1980 No. 116, S.B. 23, 1981]

2. Private/Personal Use

Provision	Art. 17
Scope of private/personal use	copying
Type(s) of source work(s)	a work of literature, science or art
Entity exercising private/personal use	
Purpose of private/personal use	used exclusively for a person's own exercise, study or use
Condition of private/personal use	if work is drawing, painting, construction, sculpture, lithograph, engraving and other plate work: size or the working method according to which copy has been manufactured shows a clear difference with the original source work
Frequency/copies and limits	limited to several copies
Preclusions (not part of private/personal use)	reconstruction of buildings
Subject to Attribution	
Subject to Remuneration	not required ("infringement ... shall not include")

3. Quotations

Provision	Art. 16(b)
Scope of quotation	citations, in original language or translated, of (a) inclusion of reproductions, in the context of a review or a polemic or scientific treatise of (b)
Type(s) of source work(s)	(a): parts of previously published writings, musical works (b): previously undisclosed works of visual art
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	size and amount of cited works are within the boundaries of the rules of what are socially acceptable moral rights of author to be observed ²⁸⁵⁸
Preclusions (not part of quotation)	
Subject to Attribution	author (if indicated on source)
Subject to Remuneration	not required ("infringement ... shall not include")

²⁸⁵⁸ Art. 25.

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 16(a)
Scope of anthologies/compilations limitation/exception	quotation, in the original language or in translated language, in anthologies or other works
Type(s) of source work(s)	from the same author, not more than a few short portions of his works, or of several short statements or poems
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for educational or scientific purposes
Condition of anthologies/compilations limitation/exception	moral rights of author to be observed ²⁸⁵⁹
Frequency/copies and limits	if source work is drawing, painting, construction, sculpture, lithograph, engraving and other plate work (Art. 10(6)): complete work may be copied in the same circumstances and under the same conditions, provided that such reproduction shows a significant difference with the original work, by virtue of its size, working method and method of fabrication; and when two or more of such works have been jointly published, the reproduction shall only be allowed for one of them ²⁸⁶⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (if feasible)
Subject to Remuneration	appropriate compensation to author or assigns ²⁸⁶¹

6. School Performances7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes²⁸⁵⁹ Art. 25.²⁸⁶⁰ Art. 16 2nd para.²⁸⁶¹ Art. 16 proviso (providing that the President is allowed by state resolution to decide what is understood by "short portions of his works, or of several short statements or poems" as well as the rules for appropriate compensation).

Swaziland

1. Legislation Reviewed

Copyright Act, 1912 (based on the U.K. Copyright Act, 1911 (1 & 2 Geo. 5, Ch. 46))

2. Private/Personal Use

Provision	s 4(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	any work
Entity exercising private/personal use	
Purpose of private/personal use	private study, research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

3. Quotations

Provision	s 4(1)(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	any work
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 4(1)(d)
Scope of anthologies/compilations limitation/exception	publication in a collection
Type(s) of source work(s)	short passages from published literary works not themselves published for the use of schools in which copyright subsists
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection is mainly composed of non-copyright

	matter
Frequency/copies and limits	no more than 2 of such passages from works by same author are published by same publisher within 5 year period
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source
Subject to Remuneration	not required ("shall not constitute an infringement of copyright")

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Sweden

1. Legislation Reviewed

Act on Copyright in Literary and Artistic Works (1960:729), as amended up to April 1, 2011

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	make copies
Type(s) of source work(s)	a work that has been lawfully ²⁸⁶² made public, (a performance, ²⁸⁶³ sound and image recording, ²⁸⁶⁴ broadcast, ²⁸⁶⁵ catalogue, ²⁸⁶⁶ photograph ²⁸⁶⁷)
Entity exercising private/personal use	anybody
Purpose of private/personal use	for private purposes
Condition of private/personal use	literary works in written form: making of copies concern only limited parts of works, or such works of limited scope
Frequency/copies and limits	one or a few copies copies must not be used for purposes other than private use no right to engage, for private purposes, another person to make copies of musical works, cinematograph works, utilitarian articles or sculptures, another person's work of fine art by means of artistic reproduction
Preclusions (not part of private/personal use)	works of architecture, digital compilations, computer programs
Subject to Attribution	
Subject to Remuneration	levy as remuneration ²⁸⁶⁸ payable on digital/analogue recording media ²⁸⁶⁹ (on which sounds or moving images may be recorded and which are especially suitable for the making of copies of works for private purposes), ²⁸⁷⁰ payable by importer, manufacturer, ²⁸⁷¹ to account of CMOs ²⁸⁷² to be distributed among approved

²⁸⁶² Art. 12 proviso ("This Article does not confer a right to make copies of a work when the copy that constitutes the real master copy has been prepared or has been made available to the public in violation of Article 2.").

²⁸⁶³ Art. 45.

²⁸⁶⁴ Art. 46.

²⁸⁶⁵ Art. 48.

²⁸⁶⁶ Art. 49.

²⁸⁶⁷ Art. 49a.

²⁸⁶⁸ Art. 26 k. The remuneration amounts are set out in Art. 26 l.

²⁸⁶⁹ Art. 26 l.

²⁸⁷⁰ Art. 26 k.

²⁸⁷¹ Art. 26 k.

²⁸⁷² Art. 26 m.

	authors, ²⁸⁷³ performers, ²⁸⁷⁴ producers of sound and image recordings, ²⁸⁷⁵ photographers ²⁸⁷⁶
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3. Quotations

Provision	Art. 22
Scope of quotation	quote
Type(s) of source work(s)	works which have been made available to the public, (a performance, ²⁸⁷⁷ sound and image recording, ²⁸⁷⁸ broadcast, ²⁸⁷⁹ catalogue ²⁸⁸⁰)
Entity exercising quotation	anyone
Purpose of quotation	
Condition of quotation	quotation in accordance with proper usage quotation to the extent necessary for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("Anyone may")

4. Research/Educational Reproduction

Provision	Art. 42 c
Scope of research/educational reproduction	copies
Type(s) of source work(s)	works which have been made public, (a performance, ²⁸⁸¹ sound and image recording, ²⁸⁸² catalogue, ²⁸⁸³ photograph ²⁸⁸⁴)
Entity exercising reproduction	an entity who carries out educational activities in organised forms ²⁸⁸⁵
Purpose of educational reproduction	for educational purposes
Condition of reproduction	copies may be used only in such educational activities that are covered by extended collective licence author has not filed a prohibition against the reproduction with any of the contracting parties (to the extended collective licence)
Frequency/copies and limits	

²⁸⁷³ Art. 26 k.

²⁸⁷⁴ Art. 45.

²⁸⁷⁵ Art. 46.

²⁸⁷⁶ Art. 49 a.

²⁸⁷⁷ Art. 45.

²⁸⁷⁸ Art. 46.

²⁸⁷⁹ Art. 48.

²⁸⁸⁰ Art. 49.

²⁸⁸¹ Art. 45.

²⁸⁸² Art. 46.

²⁸⁸³ Art. 49.

²⁸⁸⁴ Art. 49a.

²⁸⁸⁵ Art. 42 a.

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	through extended collective license, ²⁸⁸⁶ remuneration payable to account of CMOs to be distributed among authors (including authors not represented by the CMO) ²⁸⁸⁷

Provision	School Reproduction Agreement for Public Schools 2014
Scope of research/educational reproduction	copies ²⁸⁸⁸ by both analogue (photocopy and scan) and digital (print out, download from the Internet, communicate from one digital storage medium to another) means ²⁸⁸⁹
Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁸⁹⁰ , excluding works stored in digital form subject to existing agreements that regulate their reproduction and making available, single-use material, works subject to a prohibition filed by a rightsholder, audio or audio-visual works, including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance ²⁸⁹¹ published teaching materials: allowed only to supplement publisher-produced educational materials that teachers and pupils normally use during teaching, not for replacement of or reduction in new acquisition of publisher-produced educational materials that teachers and pupils normally use during teaching ²⁸⁹²
Entity exercising reproduction	teachers and pupils ²⁸⁹³ of public schools ²⁸⁹⁴ (not higher education institutions) (teacher may instruct someone else to make copies) ²⁸⁹⁵

²⁸⁸⁶ Art. 42 a (providing that an agreement concluded regarding such exploitation of works with an organisation representing a substantial number of Swedish authors in the field concerned, confers on the user the right to exploit works of the kind referred to in the agreement despite the fact that authors of those works are not represented by the organisation).

²⁸⁸⁷ Art. 42 a.

²⁸⁸⁸ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁸⁸⁹ Cl. 5, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁰ Cl. 6, School Reproduction Agreement for Public Schools 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

²⁸⁹¹ Cl. 11, School Reproduction Agreement for Public Schools 2014.

²⁸⁹² Cl. 10, School Reproduction Agreement for Public Schools 2014.

²⁸⁹³ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁴ Cl. 3, School Reproduction Agreement for Public Schools 2014 (applyin to all sectors of education for which the municipality, county council or region is, or during the period of the agreement becomes, the principal organizer, and

Purpose of educational reproduction	for educational purposes ²⁸⁹⁶
Condition of reproduction	without prejudice to the right to make copies and make available the copies pursuant to Arts. 12, 42c, 42h [sic], right to make copies for private use under Art. 12.1 shall not be claimed by teacher under this Agreement
Frequency/copies and limits	<p>copies made may be stored digitally and distributed as physical copies and communicated by digital means e.g. via email, school's network to which only school's staff, pupils and guardians have access, and projected, displayed on screen or presented during teaching, including slide presentations printed out and distributed or communicated digitally between teachers and pupils²⁸⁹⁷</p> <p>original is analogue (e.g. book, newspaper or magazine):</p> <ul style="list-style-type: none"> - teacher may reproduce or scan no more than 15% of pages but no more than 15 pages, in same calendar half-year and on behalf of same pupils, unless a specific section, e.g. a chapter, needs to be reproduced and it comprises more than 15% or 15 pages, whereupon the whole section may be reproduced - pupil may make copies for his own learning in a way that accords with paragraph 1 [sic] above - teacher and pupil may only make as many copies as are needed to provide one for each pupil and a few for the teacher²⁸⁹⁸ <p>original is digital (e.g. work on the Internet):</p> <ul style="list-style-type: none"> - teacher may reproduce a volume corresponding to 15 A4 pages by downloading or printing, in same calendar half-year and on behalf of same pupils - pupil may make copies for his own learning in a way that accords with paragraph 1 [sic] above²⁸⁹⁹ <p>teachers may reproduce, for own use, one copy of a work in paper copy, in its entirety²⁹⁰⁰</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author/photographer ²⁹⁰¹

which is, or is placed under, the supervision of the Swedish Schools Inspectorate, the Swedish National Council of Adult Education or the Swedish National Agency for Higher Vocational Education).

²⁸⁹⁵ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁶ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁷ Cl. 9, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁸ Cl. 7.1, School Reproduction Agreement for Public Schools 2014.

²⁸⁹⁹ Cl. 7.2, School Reproduction Agreement for Public Schools 2014.

²⁹⁰⁰ Cl. 8, School Reproduction Agreement for Public Schools 2014.

²⁹⁰¹ Cl. 12, School Reproduction Agreement for Public Schools 2014.

Subject to Remuneration	remuneration to authors and publishers ²⁹⁰²
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Provision	Agreement for Higher Education 2014
Scope of research/educational reproduction	copies ²⁹⁰³ by both analogue (photocopy and scan) and digital (print out, download from the Internet, communicate from one digital storage medium to another) means ²⁹⁰⁴
Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁹⁰⁵ , excluding publisher-produced compulsory course literature (except for projection and made available for examination), works stored in digital form subject to existing agreements that regulate their reproduction and making available, works subject to a prohibition filed by a rightsholder, audio or audio-visual works, including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance ²⁹⁰⁶
Entity exercising reproduction	teachers and pupils ²⁹⁰⁷ of higher educational institutions ²⁹⁰⁸ (teacher may instruct someone else to make copies) ²⁹⁰⁹
Purpose of educational reproduction	for teaching and learning/educational purposes ²⁹¹⁰
Condition of reproduction	without prejudice to the right to make copies and make available the copies pursuant to Arts. 12, 42c, 42h [sic], right to make copies for private use under Art. 12.1 shall not be claimed by teacher under this Agreement ²⁹¹¹
Frequency/copies and limits	copies made may be stored digitally and distributed as physical copies and communicated by digital means e.g. via email, school's network to which only school's staff, pupils and guardians have access, and projected, displayed on screen or presented during teaching, including slide presentations printed out and distributed or

²⁹⁰² Cl 1, School Reproduction Agreement for Public Schools 2014.

²⁹⁰³ Cl. 4, Agreement for Higher Education 2014.

²⁹⁰⁴ Cl. 5, Agreement for Higher Education 2014.

²⁹⁰⁵ Cl. 6, Agreement for Higher Education 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

²⁹⁰⁶ Cl 10, Agreement for Higher Education 2014.

²⁹⁰⁷ Cl. 1, Agreement for Higher Education 2014.

²⁹⁰⁸ Cl. 1, Agreement for Higher Education 2014.

²⁹⁰⁹ Cl. 4, Agreement for Higher Education.

²⁹¹⁰ Cl. 1, 4, Agreement for Higher Education 2014.

²⁹¹¹ Cl. 1, Agreement for Higher Education 2014.

	<p>communicated digitally between teachers and pupils²⁹¹²</p> <p>original is analogue (e.g. book, newspaper or magazine):</p> <ul style="list-style-type: none"> - teacher may reproduce or scan no more than 15% of pages but no more than 15 pages, in same calendar half-year and on behalf of same pupils, unless a specific section, e.g. a chapter, needs to be reproduced and it comprises more than 15% or 15 pages, whereupon the whole section may be reproduced - pupil may make copies for his own learning in a way that accords with [teacher's limits set out in paragraph 1 [sic] above - teacher and pupil may only make as many copies as are needed to provide one for each pupil and a few for the teacher²⁹¹³ <p>original is digital (e.g. work on the Internet):</p> <ul style="list-style-type: none"> - teacher may reproduce a volume corresponding to 15 A4 pages by downloading or printing, in same calendar half-year and on behalf of same pupils - pupil may make copies for his own learning in a way that accords with paragraph 1 [sic] above²⁹¹⁴ <p>teachers may reproduce, for own use, one copy of a work in paper copy, in its entirety²⁹¹⁵</p>
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author/photographer ²⁹¹⁶
Subject to Remuneration	remuneration to authors and publishers ²⁹¹⁷

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 18
Scope of anthologies/compilations limitation/exception	preparing a composite work
Type(s) of source work(s)	minor portions of literary or musical works by a comparatively large number of authors and such works of a limited scope, including works of fine art in connection with the text, (a catalogue, ²⁹¹⁸ photograph ²⁹¹⁹)

²⁹¹² CI 9, Agreement for Higher Education 2014.

²⁹¹³ CI 7.1, Agreement for Higher Education 2014.

²⁹¹⁴ CI 7.2, Agreement for Higher Education 2014.

²⁹¹⁵ CI 8, Agreement for Higher Education 2014.

²⁹¹⁶ CI 11, Agreement for Higher Education 2014.

²⁹¹⁷ CI 1, Agreement for Higher Education 2014.

²⁹¹⁸ Art. 49.

Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational activities
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	lapse of 5 years from first publication of works
Preclusions (not part of anthologies/compilations limitation/exception)	works that have been created for use in educational activities no right to prepare composite works for commercial purposes
Subject to Attribution	
Subject to Remuneration	right to remuneration for authors

6. School Performances

Provision	Art. 21(2)
Scope of school performance	publicly perform
Type(s) of source work(s)	works, with the exception of cinematographic works and works made for the stage, that have been made public, (a performance, ²⁹²⁰ sound and image recording, ²⁹²¹ broadcast, ²⁹²² catalogue ²⁹²³)
Entity exercising school performance	
Purpose of school performance	in the course of educational activities
Condition of school performance	
Preclusions (not part of school performance)	no right to publicly perform , for commercial purposes, compilations in the course of educational activities
Subject to Attribution	
Subject to Remuneration	not required ("Anyone is entitled")

Provision	School Reproduction Agreement for Public Schools 2014
Scope of school performance	projection, display on screen or otherwise presented, based on copies made pursuant to Agreement
Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁹²⁴ , excluding works stored in digital form subject to existing agreements that regulate their reproduction and making available, single-use material, works subject to a prohibition filed by a rightsholder, audio or audio-visual works,

²⁹¹⁹ Art. 49a.

²⁹²⁰ Art. 45.

²⁹²¹ Art. 46.

²⁹²² Art. 48.

²⁹²³ Art. 49.

²⁹²⁴ Cl. 6, School Reproduction Agreement for Public Schools 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

	including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance ²⁹²⁵
	published teaching materials: allowed only to supplement publisher-produced educational materials that teachers and pupils normally use during teaching, not for replacement of or reduction in new acquisition of publisher-produced educational materials that teachers and pupils normally use during teaching ²⁹²⁶
Entity exercising school performance	teachers and pupils ²⁹²⁷ of public schools ²⁹²⁸ (not higher education institutions)
Purpose of school performance	during teaching ²⁹²⁹
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	source, author/photographer ²⁹³⁰
Subject to Remuneration	remuneration to authors and publishers ²⁹³¹

Provision	School Reproduction Agreement for Public Schools 2014
Scope of school performance	performance, based on copies made pursuant to Agreement
Type(s) of source work(s)	Swedish and non-Swedish musical work with or without lyrics for use in a public performance ²⁹³²
Entity exercising school performance	teachers and pupils ²⁹³³ of public schools ²⁹³⁴ (not higher education institutions)
Purpose of school performance	during teaching ²⁹³⁵
Condition of school performance	an audience mainly consisting of school's pupils and relatives of the pupils ²⁹³⁶

²⁹²⁵ Cl 11, School Reproduction Agreement for Public Schools 2014.

²⁹²⁶ Cl 10, School Reproduction Agreement for Public Schools 2014.

²⁹²⁷ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁹²⁸ Cl. 3, School Reproduction Agreement for Public Schools 2014 (applyin to all sectors of education for which the municipality, county council or region is, or during the period of the agreement becomes, the principal organizer, and which is, or is placed under, the supervision of the Swedish Schools Inspectorate, the Swe-dish National Council of Adult Education or the Swedish National Agency for Higher Vo-cational Education).

²⁹²⁹ Cl 9.3, School Reproduction Agreement for Public Schools 2014.

²⁹³⁰ Cl 12, School Reproduction Agreement for Public Schools 2014.

²⁹³¹ Cl 1, School Reproduction Agreement for Public Schools 2014.

²⁹³² Cl 11, School Reproduction Agreement for Public Schools 2014.

²⁹³³ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁹³⁴ Cl. 3, School Reproduction Agreement for Public Schools 2014 (applyin to all sectors of education for which the municipality, county council or region is, or during the period of the agreement becomes, the principal organizer, and which is, or is placed under, the supervision of the Swedish Schools Inspectorate, the Swe-dish National Council of Adult Education or the Swedish National Agency for Higher Vo-cational Education).

²⁹³⁵ Cl 9.3, School Reproduction Agreement for Public Schools 2014.

²⁹³⁶ Cl 11(g), School Reproduction Agreement for Public Schools 2014.

Preclusions (not part of school performance)	
Subject to Attribution	source, author/photographer ²⁹³⁷
Subject to Remuneration	remunation to authors and publishers ²⁹³⁸

Provision	Agreement for Higher Education 2014
Scope of school performance	projection, display on screen or otherwise presented, based on copies made pursuant to Agreement
Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁹³⁹ , excluding publisher-produced compulsory course literature (except for projection and made available for examination), works stored in digital form subject to existing agreements that regulate their reproduction and making available, works subject to a prohibition filed by a rightsholder, audio or audio-visual works, including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance ²⁹⁴⁰
Entity exercising school performance	teachers and pupils ²⁹⁴¹ of higher education institutions ²⁹⁴² (teacher may instruct someone else to make copies) ²⁹⁴³
Purpose of school performance	for teaching and learning/educational purposes ²⁹⁴⁴
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	source, author/photographer ²⁹⁴⁵
Subject to Remuneration	remunation to authors and publishers ²⁹⁴⁶

Provision	Agreement for Higher Education 2014
Scope of school performance	performance, based on copies made pursuant to Agreement
Type(s) of source work(s)	Swedish and non-Swedish musical work with or without lyrics for use in a public performance ²⁹⁴⁷

²⁹³⁷ CI 12, School Reproduction Agreement for Public Schools 2014.

²⁹³⁸ CI 1, School Reproduction Agreement for Public Schools 2014.

²⁹³⁹ Cl. 6, Agreement for Higher Education 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

²⁹⁴⁰ CI 10, Agreement for Higher Education 2014.

²⁹⁴¹ Cl. 1, Agreement for Higher Education 2014.

²⁹⁴² Cl. 1, Agreement for Higher Education 2014.

²⁹⁴³ Cl. 4, Agreement for Higher Education.

²⁹⁴⁴ Cl. 1, 4, Agreement for Higher Education 2014.

²⁹⁴⁵ CI 11, Agreement for Higher Education 2014.

²⁹⁴⁶ CI 1, Agreement for Higher Education 2014.

²⁹⁴⁷ CI 10, Agreement for Higher Education 2014.

Entity exercising school performance	teachers and pupils ²⁹⁴⁸ of higher education institutions ²⁹⁴⁹ (teacher may instruct someone else to make copies) ²⁹⁵⁰
Purpose of school performance	for teaching and learning/educational purposes ²⁹⁵¹
Condition of school performance	performance to take place within the regular educational programme ²⁹⁵²
Preclusions (not part of school performance)	
Subject to Attribution	source, author/photographer ²⁹⁵³
Subject to Remuneration	remuneration to authors and publishers ²⁹⁵⁴

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 14
Scope of broadcast/communication/recording	recordings
Type(s) of source work(s)	teachers' and pupils' own performances of works, (catalogues ²⁹⁵⁵)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for educational purposes
Condition of broadcast/communication/recording	recordings may not be used for other purposes
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	if recordings are used publicly: source (as required by proper usage) ²⁹⁵⁶
Subject to Remuneration	not required ("Teachers and pupils may")

Provision	School Reproduction Agreement for Public Schools 2014
Scope of broadcast/communication/recording	making available by e.g. communication by digital means, by e-mail, or via the school's network, copies made under Agreement ²⁹⁵⁷
Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁹⁵⁸ , excluding works stored in digital

²⁹⁴⁸ Cl. 1, Agreement for Higher Education 2014.

²⁹⁴⁹ Cl. 1, Agreement for Higher Education 2014.

²⁹⁵⁰ Cl. 4, Agreement for Higher Education.

²⁹⁵¹ Cl. 1, 4, Agreement for Higher Education 2014.

²⁹⁵² Cl 10(g), Agreement for Higher Education 2014.

²⁹⁵³ Cl 11, Agreement for Higher Education 2014.

²⁹⁵⁴ Cl 1, Agreement for Higher Education 2014.

²⁹⁵⁵ Art. 49.

²⁹⁵⁶ Art. 11 para. 2.

²⁹⁵⁷ Cl. 4, 9, School Reproduction Agreement for Public Schools 2014.

	<p>form subject to existing agreements that regulate their reproduction and making available, single-use material, works subject to a prohibition filed by a rightsholder, audio or audio-visual works, including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance²⁹⁵⁹</p> <p>published teaching materials: allowed only to supplement publisher-produced educational materials that teachers and pupils normally use during teaching, not for replacement of or reduction in new acquisition of publisher-produced educational materials that teachers and pupils normally use during teaching²⁹⁶⁰</p>
Entity exercising broadcast/communication/recording	teachers and pupils ²⁹⁶¹ of public schools ²⁹⁶² (not higher education institutions)
Purpose of broadcast/communication/recording	for educational purposes ²⁹⁶³
Condition of broadcast/communication/recording	without prejudice to the right to make copies and make available the copies pursuant to Arts. 12, 42c, 42h [sic], right to make copies for private use under Art. 12.1 shall not be claimed by teacher under this Agreement
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author/photographer ²⁹⁶⁴
Subject to Remuneration	remuneration to authors and publishers ²⁹⁶⁵

Provision	Agreement for Higher Education 2014
Scope of broadcast/communication/recording	making available by e.g. communication by digital means, by e-mail, or via the higher education institution's network, copies made under Agreement ²⁹⁶⁶

²⁹⁵⁸ Cl. 6, School Reproduction Agreement for Public Schools 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

²⁹⁵⁹ Cl 11, School Reproduction Agreement for Public Schools 2014.

²⁹⁶⁰ Cl 10, School Reproduction Agreement for Public Schools 2014.

²⁹⁶¹ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁹⁶² Cl. 3, School Reproduction Agreement for Public Schools 2014 (applyin to all sectors of education for which the municipality, county council or region is, or during the period of the agreement becomes, the principal organizer, and which is, or is placed under, the supervision of the Swedish Schools Inspectorate, the Swe-dish National Council of Adult Education or the Swedish National Agency for Higher Vo-cational Education).

²⁹⁶³ Cl. 4, School Reproduction Agreement for Public Schools 2014.

²⁹⁶⁴ Cl 12, School Reproduction Agreement for Public Schools 2014.

²⁹⁶⁵ Cl 1, School Reproduction Agreement for Public Schools 2014.

²⁹⁶⁶ Cl. 4, 9, Agreement for Higher Education 2014.

Type(s) of source work(s)	Swedish and non-Swedish works that have been made public ²⁹⁶⁷ , excluding publisher-produced compulsory course literature (except for projection and made available for examination), works stored in digital form subject to existing agreements that regulate their reproduction and making available, works subject to a prohibition filed by a rightsholder, audio or audio-visual works, including music, films, radio/TV programmes (but not single frames from videograms and films), computer programs, choral materials and single parts that form part of ensemble and orchestral material and available for hire or purchase, musical work with or without lyrics for use in a public performance ²⁹⁶⁸
Entity exercising broadcast/communication/recording	teachers and pupils ²⁹⁶⁹ of higher educational institutions ²⁹⁷⁰ (teacher may instruct someone else to make copies) ²⁹⁷¹
Purpose of broadcast/communication/recording	for teaching and learning/educational purposes ²⁹⁷²
Condition of broadcast/communication/recording	without prejudice to the right to make copies and make available the copies pursuant to Arts. 12, 42c, 42h [sic], right to make copies for private use under Art. 12.1 shall not be claimed by teacher under this Agreement ²⁹⁷³
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author/photographer ²⁹⁷⁴
Subject to Remuneration	remuneration to authors and publishers ²⁹⁷⁵

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 52 c
Scope of TPM/RMI exception	protection of technological measures do not apply
Type(s) of source work(s)	
Beneficiary exercising exception	
Purpose of exception	research into cryptography

²⁹⁶⁷ Cl. 6, Agreement for Higher Education 2014 (regardless of whether the rightsholder is or is not represented by the CMO that has entered into this Agreement).

²⁹⁶⁸ Cl 10, Agreement for Higher Education 2014.

²⁹⁶⁹ Cl. 1, Agreement for Higher Education 2014.

²⁹⁷⁰ Cl. 1, Agreement for Higher Education 2014.

²⁹⁷¹ Cl. 4, Agreement for Higher Education.

²⁹⁷² Cl. 1, 4, Agreement for Higher Education 2014.

²⁹⁷³ Cl. 1, Agreement for Higher Education 2014.

²⁹⁷⁴ Cl 11, Agreement for Higher Education 2014.

²⁹⁷⁵ Cl 1, Agreement for Higher Education 2014.

Condition of exception	
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Provision	Art. 52 d
Scope of TPM/RMI exception	no probation against circumvention of any digital or analogue lock or a technological process or measure that prevents or limits the making of copies or making available to the public of a work, for beneficiary
Type(s) of source work(s)	
Beneficiary exercising exception	“beneficiaries”: someone, who in a lawful way, has access to a copy of a work protected by copyright
Purpose of exception	in order to be able to watch or listen to the work
Condition of exception	

Switzerland

1. Legislation Reviewed

Federal Act of October 9, 1992 on Copyright and Related Rights (status as of January 1, 2011)

2. Private/Personal Use

Provision	Art. 19.1.a
Scope of private/personal use	“private use” ²⁹⁷⁶
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ²⁹⁷⁷
Entity exercising private/personal use	persons entitled to make copies may also have them made by “third parties” ²⁹⁷⁸
Purpose of private/personal use	“private use” as any personal use of a work or use within a circle of persons closely connected to each other, such as relatives or friends
Condition of private/personal use	
Frequency/copies and limits	no complete or substantial copying of a work obtainable commercially
Preclusions (not part of private/personal use)	reproduction of works of art, musical notation, fixation of recitations, performances or presentations of a work on blank media, computer programs ²⁹⁷⁹
Subject to Attribution	
Subject to Remuneration	not required, ²⁹⁸⁰ unless reproduction made by third party, whereupon levy as remuneration is payable by “third party” ²⁹⁸¹ and on blank media suitable for the fixation of works by manufacturer, importer, ²⁹⁸² to account of CMOs ²⁹⁸³ to be distributed among authors, ²⁹⁸⁴ (performers, producers and broadcasters) ²⁹⁸⁵

3. Quotations

Provision	Art. 25
Scope of quotation	quotations

²⁹⁷⁶ Art. 19.3bis (excluding from the “private use” exception, copies of works that are created “on demand” when accessing lawfully available works).

²⁹⁷⁷ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

²⁹⁷⁸ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

²⁹⁷⁹ Art. 19.4.

²⁹⁸⁰ Art. 20.1.

²⁹⁸¹ Art. 20.2.

²⁹⁸² Art. 20.3.

²⁹⁸³ Art. 20.4.

²⁹⁸⁴ Art. 20.2, 20.3.

²⁹⁸⁵ Art. 38 (applying Art. 20 mutatis mutandis to the rights of performers, phonogram and audiovisual fixation producers and broadcasting organisations).

Type(s) of source work(s)	published works, (performances, phonograms, audiovisual fixations, broadcasts) ²⁹⁸⁶
Entity exercising quotation	
Purpose of quotation	if quotation serves as an explanation, a reference or an illustration
Condition of quotation	extent of quotation is justified by the purpose quotation designated as such
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("may be quoted")

4. Research/Educational Reproduction

Provision	Art. 19.1.b
Scope of research/educational reproduction	"private use" ²⁹⁸⁷
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ²⁹⁸⁸
Entity exercising reproduction	a teacher and his class, who may also have copies made by third parties ²⁹⁸⁹
Purpose of educational reproduction	"private use" as any use for educational purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	no complete or substantial copying of a work obtainable commercially no reproduction works of art, musical notation, fixation of recitations, performances or presentations of a work on blank media, computer programs ²⁹⁹⁰
Subject to Attribution	
Subject to Remuneration	levy as remuneration is payable by entity (teacher/his class) ²⁹⁹¹ and "third party" ²⁹⁹² and on blank media suitable for the fixation of works by manufacturer, importer, ²⁹⁹³ to the account of CMOs, ²⁹⁹⁴ to be distributed among authors, ²⁹⁹⁵ (performers, producers and broadcasters) ²⁹⁹⁶

²⁹⁸⁶ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

²⁹⁸⁷ Art. 19.3bis (excluding from the "private use" exception, copies of works that are created "on demand" when accessing lawfully available works).

²⁹⁸⁸ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

²⁹⁸⁹ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

²⁹⁹⁰ Art. 19.4.

²⁹⁹¹ Art. 20.2.

²⁹⁹² Art. 20.2.

²⁹⁹³ Art. 20.3.

²⁹⁹⁴ Art. 20.4.

²⁹⁹⁵ Art. 20.2, 20.3.

²⁹⁹⁶ Art. 38 (applying Art. 20 mutatis mutandis to the rights of performers, phonogram and audiovisual fixation producers and broadcasting organisations).

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 19.1.b
Scope of school performance	"private use" ²⁹⁹⁷
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ²⁹⁹⁸
Entity exercising school performance	a teacher and his class, who may also have copies made by third parties ²⁹⁹⁹
Purpose of school performance	"private use" as any use for educational purposes
Condition of school performance	
Preclusions (not part of school performance)	[not relevant - preclusions in Art. 19.3 refer to copying or fixation]
Subject to Attribution	
Subject to Remuneration	not required ("may be used") ³⁰⁰⁰

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²⁹⁹⁷ Art. 19.3bis (excluding from the "private use" exception, copies of works that are created "on demand" when accessing lawfully available works).

²⁹⁹⁸ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

²⁹⁹⁹ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

³⁰⁰⁰ Remuneration provisions in Art. 20 refer to reproduction of works, not to performances.

Syrian Arab Republic

1. Legislation Reviewed

Law No. 12/2001 Copyright Law of Syria

2. Private/Personal Use

Provision	Art. 37 First a)
Scope of private/personal use	reproduction, translation
Type(s) of source work(s)	a legitimately published work, its excerpts, its (musical) compositions and its adaptation
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("deemed legitimate without need of the author's or creator's approval")

3. Quotations

Provision	Art. 9
Scope of quotation	quotations or analysis
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	intended for criticism, discussion, education or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("not be deemed an infringement")

Provision	Art. 37 First b)
Scope of quotation	quotation
Type(s) of source work(s)	a legitimately published work, its excerpts, including texts transcribed from press articles and periodicals in the form of press extracts
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation complies with prevailing customs quotation is justified
Preclusions (not part of quotation)	
Subject to Attribution	title, author/creator
Subject to Remuneration	not required ("deemed legitimate without need of the author's or creator's approval")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 37 First c)
Scope of anthologies/compilations limitation/exception	use, in the form of publications
Type(s) of source work(s)	a legitimately published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for educational, pedagogical or vocational training purposes
Condition of anthologies/compilations limitation/exception	utilization complies with customary practice
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("deemed legitimate without need of the author's or creator's approval")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 37 First c)
Scope of broadcast/communication/recording	use, in the form of broadcasts or televised programs, audiovisual recordings
Type(s) of source work(s)	a legitimately published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for educational, pedagogical or vocational training purposes
Condition of broadcast/communication/recording	utilization complies with customary practice
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("deemed legitimate without need of the author's or creator's approval")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Tajikistan

1. Legislation Reviewed

Law of the Republic of Tajikistan on Copyright and Related Rights No. 726 of November 13, 1998 (as amended up to 2009)

2. Private/Personal Use

Provision	Art. 19
Scope of private/personal use	reproduce
Type(s) of source work(s)	a lawfully published work, (performance, broadcast, cablecast, recording, phonogram) ³⁰⁰¹
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and structures, reproduction of whole books and sheet music, whole or substantial part of databases, computer programs ³⁰⁰² provided this does not conflict with the normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 39
Scope of private/personal use	reproduction
Type(s) of source work(s)	an audiovisual work or phonogram
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration to be paid by manufacturers and importers of equipment (sound recording equipment, videocassette recorders, etc.) and of recording material (tape and cassettes for sound

³⁰⁰¹ Art. 41(4) (providing for the "other cases provided for in Art. 19 to 21 for the limitation of the economic rights of the authors of literary, scientific and artistic works" to apply to performances, broadcasts, cablecasts, recordings and phonograms); although there is a question as to whether this overlaps with the existing limitations in Art. 41 itself.

³⁰⁰² Art. 24 (### excepting use of the computer program and for backup/archival purposes).

	or video recording, optical discs, compact discs, etc.) used for such reproduction ³⁰⁰³ to a CMO to be distributed to authors, performers and producers of phonograms ³⁰⁰⁴
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Provision	Art. 41 proviso
Scope of private/personal use	reproduction and use
Type(s) of source work(s)	broadcast or cablecast program or a recording thereof ³⁰⁰⁵
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	restrictions to apply without prejudice to the normal use of phonograms, performances, broadcasts or cable, and their records, and included in their literature works of science and art, and without prejudice to the legitimate interests of the performer, the organization of air or cable broadcasting and authors of the works ³⁰⁰⁶
Subject to Attribution	
Subject to Remuneration	remuneration to be paid by manufacturers and importers of equipment (sound recording equipment, videocassette recorders, etc.) and of recording material (tape and cassettes for sound or video recording, optical discs, compact discs, etc.) used for such reproduction ³⁰⁰⁷ to a CMO to be distributed to authors, performers and producers of phonograms ³⁰⁰⁸

3. Quotations

Provision	Art. 20(1)
Scope of quotation	quotation, in the original language or in translation
Type(s) of source work(s)	extracts from lawfully published works, including the reproduction of extracts from newspaper and

³⁰⁰³ Art. 39 (excepting recording equipment and material exported and for professional equipment and material not intended to be used for domestic reproduction).

³⁰⁰⁴ Art. 39 (providing that where otherwise provided in the agreement, the remuneration shall be distributed as authors (40%), performers (30%) and phonogram producers (30%)).

³⁰⁰⁵

³⁰⁰⁶ Art. 41 proviso.

³⁰⁰⁷ Art. 39 (excepting recording equipment and material exported and for professional equipment and material not intended to be used for domestic reproduction).

³⁰⁰⁸ Art. 39 (providing that where otherwise provided in the agreement, the remuneration shall be distributed as authors (40%), performers (30%) and phonogram producers (30%)).

	magazine articles in press reviews, (performance, broadcast, cablecast, recording, phonogram) ³⁰⁰⁹
Entity exercising quotation	
Purpose of quotation	research, polemic, critical or informational purposes
Condition of quotation	to the extent justified by the intended purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 41(3)
Scope of quotation	use and reproduce, for quotation
Type(s) of source work(s)	short extracts from performance, the phonogram or the broadcast or cablecast
Entity exercising quotation	
Purpose of quotation	informational purposes
Condition of quotation	
Preclusions (not part of quotation)	restrictions to apply without prejudice to the normal use of phonograms, performances, broadcasts or cable, and their records, and included in their literature works of science and art, and without prejudice to the legitimate interests of the performer, the organization of air or cable broadcasting and authors of the works ³⁰¹⁰
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 20(7)(c)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	isolated articles or short works lawfully published in collections, newspapers or other periodical publications, or of short extracts from lawfully published written works (with or without illustrations), (performance, broadcast, cablecast, recording, phonogram) ³⁰¹¹
Entity exercising reproduction	educational establishment
Purpose of educational reproduction	classroom use
Condition of reproduction	
Frequency/copies and limits	

³⁰⁰⁹ Art. 41(4) (providing for the "other cases provided for in Art. 19 to 21 for the limitation of the economic rights of the authors of literary, scientific and artistic works" to apply to performances, broadcasts, cablecasts, recordings and phonograms); although there is a question as to whether this overlaps with the existing limitations in Art. 41 itself.

³⁰¹⁰ Art. 41 proviso.

³⁰¹¹ Art. 41(4) (providing for the "other cases provided for in Art. 19 to 21 for the limitation of the economic rights of the authors of literary, scientific and artistic works" to apply to performances, broadcasts, cablecasts, recordings and phonograms); although there is a question as to whether this overlaps with the existing limitations in Art. 41 itself.

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required

Provision	Art. 41(2)
Scope of research/educational reproduction	use and reproduce
Type(s) of source work(s)	performance or the broadcast or cablecast or the recording thereof
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of teaching or scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	restrictions to apply without prejudice to the normal use of phonograms, performances, broadcasts or cable, and their records, and included in their literature works of science and art, and without prejudice to the legitimate interests of the performer, the organization of air or cable broadcasting and authors of the works ³⁰¹²
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 20(2)
Scope of anthologies/compilations limitation/exception	use, in publications, radio or television broadcasts or sound or visual recordings of educational character
Type(s) of source work(s)	lawfully published works and extracts from such works, (performance, broadcast, cablecast, recording, phonogram) ³⁰¹³
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for the purpose of illustration
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

³⁰¹² Art. 41 proviso.

³⁰¹³ Art. 41(4) (providing for the "other cases provided for in Art. 19 to 21 for the limitation of the economic rights of the authors of literary, scientific and artistic works" to apply to performances, broadcasts, cablecasts, recordings and phonograms); although there is a question as to whether this overlaps with the existing limitations in Art. 41 itself.

6. School Performances

Provision	Art. 41(2)
Scope of school performance	use, and reproduce
Type(s) of source work(s)	performance or the broadcast or cablecast program or the recording thereof
Entity exercising school performance	
Purpose of school performance	for the sole purposes of teaching or research
Condition of school performance	
Preclusions (not part of school performance)	restrictions to apply without prejudice to the normal use of phonograms, performances, broadcasts or cable, and their records, and included in their literature works of science and art, and without prejudice to the legitimate interests of the performer, the organization of air or cable broadcasting and authors of the works ³⁰¹⁴
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 20(2)
Scope of broadcast/communication/recording	use, in radio or television broadcasts or sound or visual recordings of educational character
Type(s) of source work(s)	lawfully published works and extracts from such works, (performance, broadcast, cablecast, recording, phonogram) ³⁰¹⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the purpose of illustration
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 41(2)
Scope of broadcast/communication/recording	use, and reproduce
Type(s) of source work(s)	performance or the broadcast or cablecast program or the recording thereof
Entity exercising	

³⁰¹⁴ Art. 41 proviso.

³⁰¹⁵ Art. 41(4) (providing for the "other cases provided for in Art. 19 to 21 for the limitation of the economic rights of the authors of literary, scientific and artistic works" to apply to performances, broadcasts, cablecasts, recordings and phonograms); although there is a question as to whether this overlaps with the existing limitations in Art. 41 itself.

broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the sole purposes of teaching or research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	restrictions to apply without prejudice to the normal use of phonograms, performances, broadcasts or cable, and their records, and included in their literature works of science and art, and without prejudice to the legitimate interests of the performer, the organization of air or cable broadcasting and authors of the works ³⁰¹⁶
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

³⁰¹⁶ Art. 41 proviso.

Thailand

1. Legislation Reviewed

Copyright Act, B.E. 2537

Copyright Act (No. 2) B.E. 2558 (2015)

Copyright Act (No. 3) B.E. 2558 (2015)

2. Private/Personal Use

Provision	s 32(1)
Scope of private/personal use	act
Type(s) of source work(s)	a copyright work of another person, (a computer program), ³⁰¹⁷ (a performance) ³⁰¹⁸
Entity exercising private/personal use	
Purpose of private/personal use	research or study of the work
Condition of private/personal use	act is not for profit
Frequency/copies and limits	
Preclusions (not part of private/personal use)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

Provision	s 32(2)
Scope of private/personal use	act in relation to
Type(s) of source work(s)	a copyright work of another person, (a computer program), ³⁰¹⁹ (a performance) ³⁰²⁰
Entity exercising private/personal use	
Purpose of private/personal use	use for personal benefit or for the benefit of the user and his family members or close relatives, (or to keep copies for maintenance or prevention of loss) ³⁰²¹
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

³⁰¹⁷ s 35(1).³⁰¹⁸ s 53.³⁰¹⁹ s 35(2).³⁰²⁰ s 53.³⁰²¹ s 35(5).

3. Quotations

Provision	s 33
Scope of quotation	a reasonable citation, quotation, copy, emulation or reference
Type(s) of source work(s)	in part and from a copyright work, (a performance) ³⁰²²
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright ³⁰²³
Subject to Attribution	copyright owner
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

Provision	s 32(3)
Scope of quotation	comment, criticism or introduction
Type(s) of source work(s)	a copyright work of another person, (a computer program), ³⁰²⁴ (a performance) ³⁰²⁵
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	copyright owner
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

4. Research/Educational Reproduction

Provision	s 32(6)
Scope of research/educational reproduction	reproduction, adaptation, exhibition or display
Type(s) of source work(s)	a copyright work of another person, (a performance) ³⁰²⁶
Entity exercising reproduction	a teacher
Purpose of educational reproduction	for the benefit of his teaching

³⁰²² s 53.

³⁰²³ s 32 first para.

³⁰²⁴ s 35(3)

³⁰²⁵ s 53.

³⁰²⁶ s 53.

Condition of reproduction	act is not for profit
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

Provision	s 32(8)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a copyright work of another person, (a computer program), ³⁰²⁷ (a performance) ³⁰²⁸
Entity exercising reproduction	
Purpose of educational reproduction	as part of questions and answers in an examination
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("not be deemed an infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 32(7)
Scope of anthologies/compilations limitation/exception	reproduction, adaptation in part of a work or abridgment or making a summary
Type(s) of source work(s)	a copyright work of another person, (a performance) ³⁰²⁹
Entity exercising anthologies/compilations limitation/exception	a teacher or an educational institution
Purpose of anthologies/compilations limitation/exception	so as to distribute or sell to students in a class or in an educational institution
Condition of anthologies/compilations limitation/exception	act is not for profit
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("not be deemed an infringement of

³⁰²⁷ s 35(7)

³⁰²⁸ s 53.

³⁰²⁹ s 53.

	copyright")
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6. School Performances

Provision	s 36
Scope of school performance	public performance
Type(s) of source work(s)	a dramatic work or musical work, (a performance) ³⁰³⁰
Entity exercising school performance	an association, foundation or another organization which has objectives of public charity, education, religion or social welfare
Purpose of school performance	
Condition of school performance	not organized or conducted to obtain profit from such activity without a direct or indirect charge for watching the performance no remuneration for the performers
Preclusions (not part of school performance)	act which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright
Subject to Attribution	
Subject to Remuneration	not required ("shall not be deemed an infringement of copyright")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 54
Nature of compulsory licence for translation for educational purposes	non-transferable ³⁰³¹ compulsory licence "solely entitling" ³⁰³² (for the time specified in the licence) ³⁰³³ the licensee to translate into Thai or publish the licensed translation in Thailand ³⁰³⁴
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a work which has already been communicated to the public in the form of printed material or other similar forms ³⁰³⁵

³⁰³⁰ s 53.³⁰³¹ s 54 2nd para (3).³⁰³² s 54 2nd para (2) (providing that the Director General shall not permit any other person to make a Thai translation from the same original copyright work if the time specified in the licence has not elapsed or has elapsed for a time not exceeding six months).³⁰³³ s 54 2nd para (2).³⁰³⁴ s 54(5).³⁰³⁵ s 54.

Purpose of licence	benefit of study, teaching or research without a profit-seeking purpose ³⁰³⁶
Condition of licence	<p>licence applicant is a Thai national³⁰³⁷</p> <p>copyright owner of work has not translated or authorized translation into Thai language within 3 years from first publication, or copyright owner has published the translation in the Thai language, but 3 years after the last publication of the translation, no further publications were made and all previous editions are out of print³⁰³⁸</p> <p>licence applicant has previously requested and been denied authorisation by copyright, or after the lapse of a reasonable period of time, agreement cannot be reached³⁰³⁹</p> <p>a further period of 6 months has lapsed from date licence applicant complies with licence requirements³⁰⁴⁰</p> <p>subject to licensee's sale of existing copies, licence terminated if copyright owner (or his licensee) has published or authorised the translation or publication of identical translated work, at an appropriate price comparable with another work of the same nature sold in Thailand³⁰⁴¹</p>
Compulsory licence fee(s)	in absence of agreement, beneficiary of compulsory licence to pay equitable remuneration to copyright owner of work, consistent with normal rate of remuneration and conditions stipulated by Director General ³⁰⁴²
Price of publication	
Distribution conditions	copies of licensed translation/published work may not be exported ³⁰⁴³
Grantor of compulsory licence	Director General

9. TPM/RMI Exceptions for Educational Purposes

³⁰³⁶ s 54.

³⁰³⁷ s 54.

³⁰³⁸ S 54 1st para (1) and (2).

³⁰³⁹ S 54.

³⁰⁴⁰ s 54 2nd para (1).

³⁰⁴¹ S 54 2nd para (4).

³⁰⁴² S 55 (providing also that appeals against Director General's orders are permissible to the Committee within 90 days of letter to inform parties of orders).

³⁰⁴³ S 54 2nd para. (5) (excepting Thai nationals overseas as recipients, printed material serves the purposes of study, teaching or research, delivery of printed material is not for a commercial purpose and importing country allows Thailand to deliver or distribute the material).

Provision	s 53/3(2), Copyright Act (No. 2)
Scope of TPM/RMI exception	deletion or modification of rights management information, not deemed an infringement,
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	an educational institute, archive, library or public sound and video broadcasting organization with no profit-making purpose
Purpose of exception	
Condition of exception	characteristics of rights management information to be in accordance with Ministerial Regulation

Provision	s 53/3(2), Copyright Act (No. 2)
Scope of TPM/RMI exception	communication to the public
Type(s) of source work(s)	a copyright work or copy whose rights management information has been deleted or modified
Beneficiary exercising exception	an educational institute, archive, library or sound and video broadcasting organization with no profit-making purpose
Purpose of exception	
Condition of exception	characteristics of copyright work or copy to be in accordance with Ministerial Regulation

Provision	s 53/5(1), Copyright Act (No. 2)
Scope of TPM/RMI exception	act not deemed an infringement of a technological protection measure done against
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	
Purpose of exception	necessary for any act pursuant to an exception to copyright infringement
Condition of exception	

Provision	s 53/5(2), Copyright Act (No. 2)
Scope of TPM/RMI exception	act not deemed an infringement of a technological protection measure done against
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	
Purpose of exception	for an analysis of necessary components of a computer system mutually used with other computer programs
Condition of exception	

Provision	s 53/5(3), Copyright Act (No. 2)
Scope of TPM/RMI exception	act not deemed an infringement of a technological protection measure done against
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	
Purpose of exception	for the benefit of research, analysis and finding out a defect of an encryption technology
Condition of exception	beneficiary has lawfully acquired the copyright

	work or copy, and made an honest effort in good faith to ask for permission from the copyright owner
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Provision	s 53/5(4), Copyright Act (No. 2)
Scope of TPM/RMI exception	act not deemed an infringement of a technological protection measure done against
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	
Purpose of exception	for particular purposes of testing, inspecting or remedying a security system of a computer, computer system or computer network
Condition of exception	with permission from the owner of the computer, computer system or computer network as the case may be

Provision	s 53/5(7), Copyright Act (No. 2)
Scope of TPM/RMI exception	act not deemed an infringement of a technological protection measure done against
Type(s) of source work(s)	a copyright work
Beneficiary exercising exception	an educational institute, archive, library or public sound and video broadcasting organization with no profit-making purpose
Purpose of exception	an act performed in order to have access to a copyright work which may not be accessed by other methods
Condition of exception	

The former Yugoslav Republic of Macedonia

1. Legislation Reviewed

Law on Copyright and Related Rights (31 Aug 2010)

2. Private/Personal Use

Provision	Art. 46
Scope of private/personal use	reproduction
Type(s) of source work(s)	work, performance, phonogram, videogram/film
Entity exercising private/personal use	
Purpose of private/personal use	private purpose ³⁰⁴⁴
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair compensation ³⁰⁴⁵ payable by providers of (photocopying services), producers/importers of (equipment for photocopying, sound and visual fixation, blank sound or sound/image carriers) at first sale/import/provision of photocopy services, to be collected by CMOs ³⁰⁴⁶ on behalf of author, ³⁰⁴⁷ performer, ³⁰⁴⁸ phonogram producer, ³⁰⁴⁹ film producer, ³⁰⁵⁰ publisher ³⁰⁵¹

Provision	Art. 54.2
Scope of private/personal use	reproduction on any medium
Type(s) of source work(s)	work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	private use
Condition of private/personal use	without direct or indirect commercial advantage
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair compensation ³⁰⁵² payable by providers of (photocopying services), producers/importers of (equipment for photocopying, sound and visual fixation, blank sound or sound/image carriers) at

³⁰⁴⁴ Art. 39(3) (noting that author has right of compensation for reproduction for private use).

³⁰⁴⁵ Art. 46 (providing that reproduction for private purpose shall be subject to payment of fair compensation).

³⁰⁴⁶ Art. 131 (providing for the collective management of rights of authors and owners of related rights).

³⁰⁴⁷ Arts. 46-48 (prescribing the entities obliged to make payment and amount of the compensation).

³⁰⁴⁸ Art. 105(3).

³⁰⁴⁹ Art. 111(5).

³⁰⁵⁰ Art. 114.

³⁰⁵¹ Art. 116. The distribution ratios between authors and owners of related rights are set out in Art. 145.

³⁰⁵² Art. 46 (providing that reproduction for private purpose shall be subject to payment of fair compensation).

	first sale/import/provision of photocopy services, to be collected by CMOs ³⁰⁵³ on behalf of author, ³⁰⁵⁴ performer, ³⁰⁵⁵ phonogram producer, ³⁰⁵⁶ film producer, ³⁰⁵⁷ publisher ³⁰⁵⁸
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3. Quotations

Provision	Art. 52(1).7
Scope of quotation	use
Type(s) of source work(s)	parts of disclosed copyrighted works ³⁰⁵⁹
Entity exercising quotation	
Purpose of quotation	scientific research, education, criticism, polemics, or review
Condition of quotation	in a scope and to the extent required by the specific purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("use ... without remuneration")

4. Research/Educational Reproduction

Provision	Art. 52(1).2
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a disclosed copyrighted work ³⁰⁶⁰
Entity exercising reproduction	public libraries, educational establishments or museums, or by archives
Purpose of educational reproduction	carrying out their activity
Condition of reproduction	activities without direct or indirect economic or commercial advantage
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use "can be carried out only in certain special cases, provided that the use does not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author" ³⁰⁶¹
Subject to Attribution	
Subject to Remuneration	reproduction on paper or any similar medium, by way of photocopying or any other analogous technique or other process having similar effects (with the exception of graphic editions of a

³⁰⁵³ Art. 131 (providing for the collective management of rights of authors and owners of related rights).

³⁰⁵⁴ Arts. 46-48 (prescribing the entities obliged to make payment and amount of the compensation).

³⁰⁵⁵ Art. 105(3).

³⁰⁵⁶ Art. 111(5).

³⁰⁵⁷ Art. 114.

³⁰⁵⁸ Art. 116. The distribution ratios between authors and owners of related rights are set out in Art. 145.

³⁰⁵⁹ Art. 51(1).

³⁰⁶⁰ Art. 51(1).

³⁰⁶¹ Art. 51(2).

	musical work (sheet music)), to be subject to fair compensation ³⁰⁶²
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Provision	Art. 52(1).4
Scope of research/educational reproduction	use
Type(s) of source work(s)	a disclosed copyrighted work ³⁰⁶³
Entity exercising reproduction	
Purpose of educational reproduction	for illustration for teaching or scientific research
Condition of reproduction	to the extent justified by the non-commercial purpose to be achieved
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use “can be carried out only in certain special cases, provided that the use does not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author” ³⁰⁶⁴
Subject to Attribution	source, author (unless infeasible)
Subject to Remuneration	reproduction on paper or any similar medium, by way of photocopying or any other analogous technique or other process having similar effects (with the exception of graphic editions of a musical work (sheet music)), to be subject to fair compensation ³⁰⁶⁵

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 52(1).17
Scope of broadcast/communication/recording	public communication and making available
Type(s) of source work(s)	a disclosed copyrighted work ³⁰⁶⁶ contained in the collections/fonds of these establishments
Entity exercising broadcast/communication/recording	

³⁰⁶² Art. 54.1 (providing for fair compensation for reprographic reproduction or analogous techniques). Cf. Art. 52(1).2 provides for reproduction by educational establishments “without remuneration”. Interpreting these provisions consistently with the requirement that the limitations and exceptions “do not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author”, reproduction by reprographic reproduction must be interpreted as the exception to the rule against reproduction by educational establishments “without remuneration”.

³⁰⁶³ Art. 51(1).

³⁰⁶⁴ Art. 51(2).

³⁰⁶⁵ Art. 54.1 (providing for fair compensation for reprographic reproduction or analogous techniques). Cf. Art. 52(1).2 provides for reproduction by educational establishments “without remuneration”. Interpreting these provisions consistently with the requirement that the limitations and exceptions “do not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author”, reproduction by reprographic reproduction must be interpreted as the exception to the rule against reproduction by educational establishments “without remuneration”.

³⁰⁶⁶ Art. 51(1).

Purpose of broadcast/communication/recording	for the purpose of research or private study in certain locations within the public scientific, cultural, educational and other establishments of similar nature
Condition of broadcast/communication/recording	work is not subject to purchase, or its use is not subject to having an authorization
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("use ... without remuneration")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Togo

1. Legislation Reviewed

Law No. 91-12 of June 10, 1991 on the Protection of Copyright, Folklore and Related Rights

2. Private/Personal Use

Provision	Art. 20.1(a)
Scope of private/personal use	communication such as performance or broadcast
Type(s) of source work(s)	a work lawfully made accessible to the public, (a performance, phonogram, broadcast) ³⁰⁶⁷
Entity exercising private/personal use	
Purpose of private/personal use	private, carried out exclusively within the family circle
Condition of private/personal use	give rise to no form of revenue
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent it from being used")

Provision	Art. 20.2
Scope of private/personal use	reproduction, translations and adaptations
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ³⁰⁶⁸
Entity exercising private/personal use	
Purpose of private/personal use	designed for strictly personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent it from being used")

Provision	Art. 109(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal	

³⁰⁶⁷ Art. 109(e) (applying exceptions relating to copyright works to related rights).³⁰⁶⁸ Art. 109(e) (applying exceptions relating to copyright works to related rights).

use)	
Subject to Attribution	
Subject to Remuneration	not required ("related rights ... shall not be applicable")

3. Quotations

Provision	Art. 21
Scope of quotation	short quotations and analyses
Type(s) of source work(s)	a work already lawfully made available to the public, including quotations from articles from newspapers and periodicals in the form of press reviews (in original version or in translation)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is to the extent justified by the scientific, critical, polemical, teaching or information purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall be lawful")

Provision	Art. 109(d)
Scope of quotation	quotations
Type(s) of source work(s)	short fragments of a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are in accordance with proper practice quotations are justified by their information purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("related rights ... shall not be applicable")

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 109(c)
Scope of broadcast/communication/recording	use

Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	single usage for exclusively teaching or scientific research purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	phonograms: Minister for Culture shall issue licences for the production of copies of phonograms when such reproduction is carried out and distributed in Togo to the exclusion of any export of copies; fair remuneration set by Ministry for phonogram producer, taking particular account of number of copies made and distributed ³⁰⁶⁹

Provision	Art. 20.1(b)
Scope of broadcast/communication/recording	communication such as performance or broadcast
Type(s) of source work(s)	a work lawfully made accessible to the public, (a performance, phonogram, broadcast) ³⁰⁷⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	strictly educational or teaching purposes
Condition of broadcast/communication/recording	communication is carried out free of charge
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author may not prevent it from being used")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 25
Nature of compulsory licence for translation for educational purposes	authorisation from competent authority, for translation into French and into the national languages and publication of such translation in Togo

³⁰⁶⁹ Art. 110.

³⁰⁷⁰ Art. 109(e) (applying exceptions relating to copyright works to related rights).

Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

Provision	Art. 26
Nature of compulsory licence for reproduction for educational purposes	licence granted by competent authority, for reproduction and publication of a specific edition of work on Togolese territory
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	competent authority

9. TPM/RMI Exceptions for Educational Purposes

Tonga

1. Legislation Reviewed

Copyright Act (Act No. 12 of 2002)

2. Private/Personal Use

Provision	ss 8, 26(d)
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ³⁰⁷¹
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	work: in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of building or other construction, reprographic reproduction of whole or substantial part of a book or musical notation, whole or substantial part of a digital database, computer program ³⁰⁷² , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of copyright"
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the author or owner")

Provision	s 26(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	solely for scientific research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

3. Quotations

Provision	s 10
Scope of quotation	reproduction

³⁰⁷¹ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

³⁰⁷² S 14 (excepting use of the computer program and for backup/archival purposes).

Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ³⁰⁷³
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("without authorisation of the author or other owner")

4. Research/Educational Reproduction

Provision	s 11(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by CMO under which such reproduction can be made of which educational institution is or should be aware
Frequency/copies and limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("permitted without authorisation of the author, or other owner")

Provision	s 26(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purposes of face-to-face teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	except for performances and phonograms which have been published as teaching or instructional materials

³⁰⁷³ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ³⁰⁷⁴
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("permitted without authorisation of the author, or other owner")

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

³⁰⁷⁴ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 26(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all "teaching purposes".

Trinidad and Tobago

1. Legislation Reviewed

Copyright Act, Cap. 82:80 (Act 8 of 1997, Amended by Act 18 of 2000 and Act 5 of 2008)

2. Private/Personal Use

Provision	ss 9, 25(1)(a)
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ³⁰⁷⁵
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	work: in a single copy
Preclusions (not part of private/personal use)	works of architecture in the form of a building or other construction, reprographic reproduction of whole or substantial part of a book or musical notation, whole or substantial part of a database, computer program ³⁰⁷⁶ , any work, (performance, sound recording, broadcast) where "reproduction would conflict with a normal exploitation of the work, (performance, sound recording, broadcast) or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright" ³⁰⁷⁷
Subject to Attribution	
Subject to Remuneration	not required ("without the authorisation of the owner")

3. Quotations

Provision	s 10
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ³⁰⁷⁸
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)

³⁰⁷⁵ S 25(1)(a) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

³⁰⁷⁶ S 14 (excepting use of the computer program and for backup/archival purposes).

³⁰⁷⁷ Ss 9, 25(2).

³⁰⁷⁸ S 25(1)(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

Subject to Remuneration	not required ("Notwithstanding the [right of reproduction]" ³⁰⁷⁹)
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4. Research/Educational Reproduction

Provision	s 11(1)(b)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Condition of reproduction	activities of which do not serve direct or indirect commercial gain no collective licence available by CMO under which such reproduction can be made of which educational institution is or should be aware
Frequency/copies and limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("without authorisation of the owner")

Provision	s 25(c)
Scope of research/educational reproduction	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purposes of face-to-face teaching activities or for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ³⁰⁸⁰

³⁰⁷⁹ s 8(1)(a) (referring to the "reproduction of the work" as an exclusive right).

Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author (all copies if practicable)
Subject to Remuneration	not required ("without authorisation of the owner")

6. School Performances

Provision	s 25(c)
Scope of school performance	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising school performance	
Purpose of school performance	solely for the purposes of face-to-face teaching activities or for scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

7. Educational Broadcasts/Communications/Recordings

Provision	s 25(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

³⁰⁸⁰ S 25(1)(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 25(1)(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all "teaching purposes".

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Tunisia

1. Legislation Reviewed

Law No. 94-36 of February 24, 1994, on Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 10(a)
Scope of private/personal use	making available to the public
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	private purposes
Condition of private/personal use	free of charge organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency ³⁰⁸¹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not prevent")

Provision	Art. 10(b)
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising private/personal use	strictly personal and private use
Purpose of private/personal use	
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not prevent")

3. Quotations

Provision	Art. 11
Scope of quotation	quotations and borrowings
Type(s) of source work(s)	a work already lawfully made available to the public, including articles in the form of press

³⁰⁸¹ Art. 10 proviso.

	summaries (in original version or in translation)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations and borrowings are compatible with fair practice quotations and borrowings are justified by a scientific, educational or informational purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if in source)
Subject to Remuneration	not required ("shall be authorized")

4. Research/Educational Reproduction

Provision	Art. 13
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	literary, scientific or artistic works
Entity exercising reproduction	public libraries, the non-commercial documentation centers, the scientific institutes and teaching establishments, the youth centers and culture centers
Purpose of educational reproduction	
Condition of reproduction	
Frequency/copies and limits	in the necessary quantity and limited to the needs of their activities
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	remuneration to be laid down by Tunisian Copyright Protection Agency, failing amicable agreement between the parties

Provision	Art. 12
Scope of research/educational reproduction	reproductions
Type(s) of source work(s)	sound or audiovisual recordings and reproductions of broadcast literary, scientific or artistic works
Entity exercising reproduction	
Purpose of educational reproduction	recordings or reproductions are made for educational or cultural purposes
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be lawful")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 10(a)
Scope of school performance	"making available to the public" ³⁰⁸²
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising school performance	
Purpose of school performance	educational, teaching or cultural purposes
Condition of school performance	organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not prevent")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 10(a)
Scope of broadcast/communication/recording	"making available to the public" ³⁰⁸³
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational, teaching or cultural purposes
Condition of broadcast/communication/recording	organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("author ... may not prevent")

³⁰⁸² Art. 2 (describing the author's right of "communiquer l'oeuvre au public" or communicate the work to the public); cf. Art. 10(a) (describing the limitation or exception as "la mise à la disposition au public" or the making available to the public). But Art. 2 also describes the author's right of communication to the public as including public performances, broadcast and cable or satellite transmissions, and communication of broadcasts by wire, loudspeaker or any other transmission device).

³⁰⁸³ Art. 2 (describing the author's right of "communiquer l'oeuvre au public" or communicate the work to the public); cf. Art. 10(a) (describing the limitation or exception as "la mise à la disposition au public" or the making available to the public). But Art. 2 also describes the author's right of communication to the public as including public performances, broadcast and cable or satellite transmissions, and communication of broadcasts by wire, loudspeaker or any other transmission device).

Provision	Art. 12
Scope of broadcast/communication/recording	recordings
Type(s) of source work(s)	sound or audiovisual recordings and reproductions of broadcast literary, scientific or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	recordings or reproductions are made for educational or cultural purposes
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be lawful")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Turkey

1. Legislation Reviewed

Law No. 5846 of December 5, 1951 on Intellectual and Artistic Works (as last amended by Law No. 5728 of January 23, 2008)

2. Private/Personal Use

Provision	Art. 38 para. 1
Scope of private/personal use	reproduce
Type(s) of source work(s)	all intellectual and artistic works
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	without pursuing profit
Frequency/copies and limits	
Preclusions (not part of private/personal use)	“reproduction may not prejudice the legitimate interests of rightholders without good reason or conflict with the normal exploitation of the work”
Subject to Attribution	
Subject to Remuneration	not required ("It is permitted")

3. Quotations

Provision	Art. 35.1
Scope of quotation	quoting, in an independent literary or scientific work
Type(s) of source work(s)	a few sentences or passages of a work made public, (a performance, phonogram, broadcast) ³⁰⁸⁴
Entity exercising quotation	
Purpose of quotation	quotations
Condition of quotation	quotation made in a manifest way
Preclusions (not part of quotation)	performance, phonogram, broadcast: such application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ³⁰⁸⁵
Subject to Attribution	scientific work: work, author, passage from quoted part
Subject to Remuneration	not required ("are permitted")

Provision	Art. 35.2
Scope of quotation	incorporating, into an independent musical work
Type(s) of source work(s)	certain elements of a published composition, at

³⁰⁸⁴ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

³⁰⁸⁵ Art. 80.2 para. 7 item 4.

	the most such as themes, patterns, passages or ideas, (a performance, phonogram, broadcast) ³⁰⁸⁶
Entity exercising quotation	
Purpose of quotation	quotations
Condition of quotation	quotation made in a manifest way
Preclusions (not part of quotation)	performance, phonogram, broadcast: such application may "not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work" ³⁰⁸⁷
Subject to Attribution	scientific work: work, author, passage from quoted part
Subject to Remuneration	not required ("are permitted")

Provision	Art. 35.3
Scope of quotation	reproducing, in a scientific work
Type(s) of source work(s)	works of fine arts that have been made public and other published works, (a performance, phonogram, broadcast) ³⁰⁸⁸
Entity exercising quotation	
Purpose of quotation	quotations, for the purpose of explaining its content
Condition of quotation	quotation made in a manifest way quotation to the extent justified by such purpose
Preclusions (not part of quotation)	performance, phonogram, broadcast: such application may "not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work" ³⁰⁸⁹
Subject to Attribution	scientific work: work, author, passage from quoted part
Subject to Remuneration	not required ("are permitted")

Provision	Art. 35.4
Scope of quotation	displaying, by projection or similar means
Type(s) of source work(s)	works of fine arts that have been made public, (a performance, phonogram, broadcast) ³⁰⁹⁰
Entity exercising quotation	
Purpose of quotation	quotations, to explain a subject at scientific conferences or lectures
Condition of quotation	quotation made in a manifest way
Preclusions (not part of quotation)	performance, phonogram, broadcast: such

³⁰⁸⁶ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

³⁰⁸⁷ Art. 80.2 para. 7 item 4.

³⁰⁸⁸ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

³⁰⁸⁹ Art. 80.2 para. 7 item 4.

³⁰⁹⁰ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

	application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ³⁰⁹¹
Subject to Attribution	scientific work: work, author, passage from quoted part
Subject to Remuneration	not required ("are permitted")

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 34
Scope of anthologies/compilations limitation/exception	create selected or collected works dedicated to educational purposes, by way of making quotations
Type(s) of source work(s)	published musical, literary and scientific works and works of fine arts that are made public, (a performance, phonogram, broadcast) ³⁰⁹²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	all kinds of technical and scientific photographic works etc. lacking in aesthetic quality, ³⁰⁹³ all types of drawings, ³⁰⁹⁴ photographic works and slides ³⁰⁹⁵ may only be quoted to explain the content of the selected and collected work
Frequency/copies and limits	quotations in an amount justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	“may not be used in a way which would prejudice the legitimate interests of the author/right holders without good reason or which would conflict with the normal exploitation of the work” ³⁰⁹⁶
Subject to Attribution	title, author (in customary manner)
Subject to Remuneration	not required ("It is free")

6. School Performances

Provision	Art. 33
Scope of school performance	performance
Type(s) of source work(s)	published works
Entity exercising school performance	in all educational institutions

³⁰⁹¹ Art. 80.2 para. 7 item 4.³⁰⁹² Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).³⁰⁹³ Art. 2.1 para. 3.³⁰⁹⁴ Art. 4.1 para 1.³⁰⁹⁵ Art. 4.1 para 5.³⁰⁹⁶ Art. 34, Art. 80.2 para. 7 item 4.

Purpose of school performance	face-to-face education
Condition of school performance	without directly or indirectly aiming for profit
Preclusions (not part of school performance)	
Subject to Attribution	source, author (in customary manner)
Subject to Remuneration	not required ("freely performed")

Provision	Art. 80.2 para. 7 item 1
Scope of school performance	performance to the public
Type(s) of source work(s)	intellectual and artistic works
Entity exercising school performance	
Purpose of school performance	public order, education and instruction, scientific research or news
Condition of school performance	without aiming for profit
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("written permission ... shall not be necessary")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 34
Scope of broadcast/communication/recording	school radio broadcasts of selected or collected works, by way of making quotations
Type(s) of source work(s)	published musical, literary and scientific works and works of fine arts that are made public, (a performance, phonogram, broadcast) ³⁰⁹⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcasts made exclusively for schools and approved by the Ministry of Education
Condition of broadcast/communication/recording	all kinds of technical and scientific photographic works etc. lacking in aesthetic quality, ³⁰⁹⁸ all types of drawings, ³⁰⁹⁹ photographic works and slides ³¹⁰⁰ may only be quoted to explain the content of the selected and collected work
Frequency/limits of broadcast/communication/recording	quotations in an amount justified by the purpose
Preclusions (not part of broadcast/communication/recording)	"may not be used in a way which would prejudice the legitimate interests of the author/right holders without good reason or which would conflict with the normal exploitation of the work" ³¹⁰¹
Subject to Attribution	title, author (in customary manner)
Subject to Remuneration	not required ("It is free")

³⁰⁹⁷ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

³⁰⁹⁸ Art. 2.1 para. 3.

³⁰⁹⁹ Art. 4.1 para 1.

³¹⁰⁰ Art. 4.1 para 5.

³¹⁰¹ Art. 34, Art. 80.2 para. 7 item 4.

Provision	Art. 80.2 para. 7 item 1
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	intellectual and artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	public order, education and instruction, scientific research or news
Condition of broadcast/communication/recording	without aiming for profit
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("written permission ... shall not be necessary")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Turkmenistan

1. Legislation Reviewed

Law of Turkmenistan No. 257-IV of January 10, 2012, on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 18
Scope of private/personal use	reproduce
Type(s) of source work(s)	a work lawfully made available to the public, an audiovisual work, a phonogram, a videogram
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for personal purposes
Condition of private/personal use	(without profit-making purposes) ³¹⁰²
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and analogous structures, reprographic reproduction of whole books, sheet music and originals of artistic works, whole or significant part of databases, computer programs ³¹⁰³
Subject to Attribution	
Subject to Remuneration	audiovisual works, phonograms, videograms: remuneration payable by manufacturers and importers of equipment (audio and/or video recorders and other devices) and material carriers (audio and/or video cassettes, compact discs and other material carriers) designed for such reproduction ³¹⁰⁴ to CMOs to be distributed to authors, performers and producers of phonograms and videograms ³¹⁰⁵

Provision	Art. 35.3
Scope of private/personal use	use and playback
Type(s) of source work(s)	a performance, broadcast and recordings thereof ³¹⁰⁶
Entity exercising private/personal use	a physical person
Purpose of private/personal use	for personal purposes
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	such uses do not unreasonably prejudice the normal exploitation of performances, phonograms

³¹⁰² Art. 18.3.

³¹⁰³ Art. 21 (excepting use of the computer program and for backup/archival/interoperability purposes).

³¹⁰⁴ Art. 18.4 (excepting equipment and material carriers which are exported, are professional equipment not intended for domestic use, or imported by physical persons for exclusively personal purposes)

³¹⁰⁵ Art. 18.3 (providing that the remuneration be distributed subject to agreement between the parties; and also providing for the distribution in the following shares: authors (40%), performers (30%) and producers of phonograms and videograms (30%).)

³¹⁰⁶ Art. 35.1.

	and videograms, broadcasting organization and their records, as well as included in the these works of literature, science and art, and do not unreasonably prejudice the legitimate interests of performers, producers of phonograms and videograms, broadcasting organizations and authors of the works ³¹⁰⁷
Subject to Attribution	
Subject to Remuneration	audiovisual works, phonograms, videograms: remuneration payable by the manufacturers and importers of equipment (audio and/or video recorders and other devices) and material carriers (audio and/or video cassettes, compact discs and other material carriers) designed for such reproduction ³¹⁰⁸ to CMOs to be distributed to authors, performers and producers of phonograms and videograms ³¹⁰⁹

3. Quotations

Provision	Art. 19.1(1)
Scope of quotation	quotation, in the original language or in translation
Type(s) of source work(s)	lawfully published works, including reproduction of extracts from newspaper and magazine articles in press reviews, (performances, sound and video recordings, broadcasts) ³¹¹⁰
Entity exercising quotation	
Purpose of quotation	for research, polemic, critical and informational purposes
Condition of quotation	to the extent justified by the purpose of the quotation
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 35.2(1)
Scope of quotation	quotation, in the form of short extracts
Type(s) of source work(s)	the performance, the phonogram, the videogram or the broadcast of the broadcasting organizations
Entity exercising quotation	
Purpose of quotation	quotation is for scientific, research, polemic,

³¹⁰⁷ Art. 35.1.

³¹⁰⁸ Art. 18.4 (excepting equipment and material carriers which are exported, are professional equipment not intended for domestic use, or imported by physical persons for exclusively personal purposes)

³¹⁰⁹ Art. 18.3 (providing that the remuneration be distributed subject to agreement between the parties; and also providing for the distribution in the following shares: authors (40%), performers (30%) and producers of phonograms and videograms (30%).)

³¹¹⁰ Art. 35.2(4).

	critical or informational purposes
Condition of quotation	to the extent justified by the purpose of the quotation
Preclusions (not part of quotation)	such limitations do not unreasonably prejudice the normal exploitation of performances, phonograms and videograms, broadcasting organization and their records, as well as included in the these works of literature, science and art, and do not unreasonably prejudice the legitimate interests of performers, producers of phonograms and videograms, broadcasting organizations and authors of the works ³¹¹¹
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 20.1(3)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	isolated articles or small-volume works lawfully published in collections, newspapers or other periodical publications, or of short extracts from lawfully published written works (with the exception of computer programs), (performances, sound and video recordings, broadcasts) ³¹¹²
Entity exercising reproduction	educational establishment
Purpose of educational reproduction	classroom use
Condition of reproduction	without profit-making purpose reprographic reproduction only allowed in absence of a licence for such reprographic reproduction granted by a CMO, whose availability the educational institution knows or would have to know under the circumstances ³¹¹³
Frequency/copies and limits	in a single copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 19.1(2)
Scope of anthologies/compilations	use in publications

³¹¹¹ Art. 31.1.

³¹¹² Art. 35.2(4) (unclear about its relevance to reprographic reproduction, but Art. 35.2(4) allows this limitation to be read to include performances, sound and video recordings and broadcasts).

³¹¹³ Art. 20.2.

limitation/exception	
Type(s) of source work(s)	short excerpts of works lawfully made available to the public, (performances, sound and video recordings, broadcasts) ³¹¹⁴
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as illustrations, in works of an educational nature
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	in an amount justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 19.1(2)
Scope of broadcast/communication/recording	use of short excerpts, in radio and television broadcasts, and sound and video recordings
Type(s) of source work(s)	works lawfully made available to the public, (performances, sound and video recordings, broadcasts) ³¹¹⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as illustrations, in works of an educational nature
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	in an amount justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

³¹¹⁴ Art. 35.2(4).

³¹¹⁵ Art. 35.2(4).

Tuvalu

1. Legislation Reviewed

Copyright Ordinance (Chapter 60) (adopting the application of parts of UK Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)³¹¹⁶, but excluding s 22³¹¹⁷)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ³¹¹⁸ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall constitute an infringement of the copyright")

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ³¹¹⁹ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ³¹²⁰
Subject to Remuneration	not required ("shall constitute an infringement of the copyright")

³¹¹⁶ s 15, Western Pacific (Courts) Order in Council, 1961 states that "statutes of general application in force in England on the 1st day of January, 1961 ... shall be in force [but] so far only as the circumstances of any particular territory and its inhabitants and the limits of Her Majesty's jurisdiction permit and subject to such qualifications as local circumstances render necessary". This rendered applicable in Tuvalu the U.K. Copyright Act 1956. Section 2(2) of Schedule 5 of the Constitution of Tuvalu provides that existing laws and Acts of the Parliament of the U.K. or Order of Her Majesty in Council, having effect as part of the law of Tuvalu immediately before independence day, shall continue in force and be construed with such conforming modifications. With the enactment of the Tuvalu Copyright Ordinance (Chapter 60, Revised Edition 1978), which came into force on 13 June 1978, the U.K. Copyright Act 1956, which continues to apply in Kiribati, will be construed with the Tuvalu Copyright Ordinance.

³¹¹⁷ S 5, Copyright Ordinance (Cap 16) (stating that s 22, U.K. Copyright Act 1956 does not apply as the law of Kiribati).

³¹¹⁸ S 6(8).

³¹¹⁹ S 6(8).

³¹²⁰ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

4. Research/Educational Reproduction

Provision	s 41(1)(a)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a “duplicating process” ³¹²¹) or making of an adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ³¹²² or elsewhere
Condition of reproduction	reproduction or adaptation shall not be published ³¹²³
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright shall not be taken to be infringed”)

Provision	s 41(1)(b)
Scope of research/educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Condition of reproduction	reproduction or adaptation shall not be published ³¹²⁴
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required (“copyright shall not be taken to be infringed”)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion in a collection
Type(s) of source work(s)	a short passage of a published literary or

³¹²¹ S 41(7) (defining “duplicating process” as any process involving the use of an appliance for producing multiple copies).

³¹²² S 41(7) (defining “school” as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

³¹²³ S 41(2).

³¹²⁴ S 41(2).

	dramatic work, (or its adaptation) ³¹²⁵
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement [source] work was not published for use of schools collection consists mainly of material in which no copyright subsists
Frequency/copies and limits	not applicable if, in addition to passage in question, 2 or more excerpts from works by same author ³¹²⁶ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ³¹²⁷
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title (or other description), author (unless anonymous or author has agreed otherwise) ³¹²⁸
Subject to Remuneration	not required ("copyright ... is not infringed")

6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not constitute an infringement of the copyright")

³¹²⁵ S 6(8).

³¹²⁶ S 6(6) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

³¹²⁷ S 6(6).

³¹²⁸ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

Provision	s 41(3), (5)
Scope of school performance	performance [of a work] causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ³¹²⁹
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or pupils in attendance at, the school, or are otherwise "directly connected" ³¹³⁰ with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("performance shall not be taken for the purposes of this Act to be a performance in public")

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

³¹²⁹ S 41(7) (defining "school" as an entity with the same meaning as that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

³¹³⁰ S 41(4) (defining "directly connected" as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

Uganda

1. Legislation Reviewed

The Copyright and Neighbouring Rights Act, 2006

2. Private/Personal Use

Provision	s 15(1)(a)
Scope of private/personal use	fair use, by way of production, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a protected work, in its original language or in a translation, (a performance, sound recording, audiovisual fixation, broadcast, programme carrying signals) ³¹³¹
Entity exercising private/personal use	
Purpose of private/personal use	private personal use
Condition of private/personal use	to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³²
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall not be an infringement ... shall not require the consent of the owner")

3. Quotations

Provision	s 15(1)(b)
Scope of quotation	fair use, by way of quotation, in its original language or in a translation, including a quotation from a newspaper or periodical in the form of press summary, used in another work,
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice

³¹³¹ S 34(a) (limiting various enumerated neighbouring rights, as regards the "private use" of the neighbouring rights subject-matter).

³¹³² S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	quotation does not exceed extent justified by the purpose to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³³
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	not required ("shall not be an infringement ... shall not require the consent of the owner")

Provision	s 34(d)
Scope of quotation	quotation
Type(s) of source work(s)	short excerpts of a performance, sound recording, audio-visual fixation or fixation or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informative purpose of the quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

4. Research/Educational Reproduction

Provision	s 15(1)(j)
Scope of research/educational reproduction	fair use, by way of reproduction, and copies made
Type(s) of source work(s)	a literary, artistic or scientific work
Entity exercising reproduction	a public library, a non-commercial documentation centre, a scientific institution or an educational institute
Purpose of educational reproduction	
Condition of reproduction	to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes;

³¹³³ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	(b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³⁴
Frequency/copies and limits	subject to conditions prescribed by Minister
Preclusions (not part of research/educational reproduction)	reproduction and copies do not conflict with the normal exploitation of the work reproduced reproduction and copies do not unreasonably affect the right of the author in the work
Subject to Attribution	
Subject to Remuneration	unclear ("shall not be an infringement ... shall not require the consent of the owner"/"subject to conditions prescribed by Minister")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 15(1)(c)
Scope of anthologies/compilations limitation/exception	fair use, by way of illustration in a publication
Type(s) of source work(s)	a published work, in its original language or in a translation
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purpose
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³⁵
Frequency/copies and limits	to the extent justified for the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall not be an infringement ... shall not require the consent of the owner")

³¹³⁴ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

³¹³⁵ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 15(1)(c)
Scope of broadcast/communication/recording	fair use, by way of illustration in broadcast or sound or visual recording
Type(s) of source work(s)	a published work, in its original language or in a translation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purpose
Condition of broadcast/communication/recording	use is compatible with fair practice to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³⁶
Frequency/limits of broadcast/communication/recording	to the extent justified for the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall not be an infringement ... shall not require the consent of the owner")

Provision	s 15(1)(d)
Scope of broadcast/communication/recording	fair use, by way of communication to the public
Type(s) of source work(s)	a protected work, in its original language or in a translation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes for schools, colleges, universities or other educational institution or for professional training or public education
Condition of broadcast/communication/recording	use is compatible with fair practice to determine if use is fair use, following factors shall be considered: (a) the purpose and character of the use, including whether such use is of a commercial

³¹³⁶ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ³¹³⁷
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title, author
Subject to Remuneration	not required ("shall not be an infringement ... shall not require the consent of the owner")

Provision	s 34(c)
Scope of broadcast/communication/recording	acts/[use]
Type(s) of source work(s)	a performance, sound recording, audiovisual fixation, programme carrying signals, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching science
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] shall not apply")

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 17(1)(a)
Nature of compulsory licence for translation for educational purposes	non-exclusive, ³¹³⁸ non-transferable ³¹³⁹ compulsory licence, for making and publishing a translation into English, Swahili or any Ugandan language, and publication of such translation in copies in Uganda ³¹⁴⁰
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a work
Licence applicant/entity	a citizen of Uganda or is ordinarily resident in Uganda

³¹³⁷ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

³¹³⁸ S 18(1)(a).

³¹³⁹ S 18(1)(d).

³¹⁴⁰ S 18(1)(e).

Purpose of licence	purpose of teaching, scholarship or research ³¹⁴¹
Condition of licence	<p>licence application may be made: 1 year from first publication³¹⁴²</p> <p>work has not been previously translated into the language in the licence application and published by the owner of the right of translation, or if translation has been so published, all previous editions in that language are out of print³¹⁴³</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre³¹⁴⁴</p> <p>licence terminated if copies of an edition of the translated work are distributed to the general public in Uganda³¹⁴⁵</p> <p>author has not withdrawn from circulation copies of the work³¹⁴⁶</p> <p><u>published translation of the work is correct</u>³¹⁴⁷</p> <p>on all copies of the published translation are printed: the name of author and original title,³¹⁴⁸ a notice in the language of the translation stating that the copy is available for distribution only in Uganda,³¹⁴⁹ a reprint of the original copyright notice³¹⁵⁰</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a reasonable price in Uganda³¹⁵¹</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right/owner's agent/Registrar, consistent with normally payable standards of royalties ³¹⁵²

³¹⁴¹ S 18(1)(b).³¹⁴² S 17(2).³¹⁴³ S 18(2)(a).³¹⁴⁴ S 18(2)(c)-(e).³¹⁴⁵ S 18(3)(a).³¹⁴⁶ S 17(3).³¹⁴⁷ S 17(6).³¹⁴⁸ S 17(6)(a).³¹⁴⁹ S 17(6)(b).³¹⁵⁰ S 17(6)(c).³¹⁵¹ S 18(3)(b).³¹⁵² S 17(5).

Price of publication	
Distribution conditions	copies of translated work may not be exported ³¹⁵³
Grantor of compulsory licence	Minister

Provision	s 17(1)(b)
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, ³¹⁵⁴ non-transferable ³¹⁵⁵ compulsory licence, for reproduction and publication in a material form the work reproduced ³¹⁵⁶ in Uganda ³¹⁵⁷
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	
Licence applicant/entity	a citizen of Uganda or is ordinarily resident in Uganda ³¹⁵⁸
Purpose of licence	purpose of teaching, scholarship or research ³¹⁵⁹
Condition of licence	<p>licence application may be made: 3 years from first publication (for work of technology or natural or physical science, including mathematics) 5 years from first publication (for music or any other related work) 7 years from first publication (for work of fiction, poetry, drama or for a book of art) 7 years from first publication (for an audiovisual fixation)³¹⁶⁰</p> <p>copies of the particular edition authorised by the owner of the reproduction have not been sold or distributed in Uganda to the public or in connection with systematic instructional activities, or there has been no sale/distribution during the immediately preceding 6 months³¹⁶¹</p> <p>licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre³¹⁶²</p>

³¹⁵³ S 18(1)(e).

³¹⁵⁴ S 18(1)(b).

³¹⁵⁵ S 18(1)(d).

³¹⁵⁶ S 17(1)(b).

³¹⁵⁷ S 17(6)(b).

³¹⁵⁸ S 17(1).

³¹⁵⁹ S 18(1)(b).

³¹⁶⁰ S 17(4).

³¹⁶¹ S 18(2)(b).

³¹⁶² S 18(2)(c)-(e).

	<p>licence terminated if copies of an edition of the reproduced work are distributed to the general public in Uganda³¹⁶³</p> <p>published reproduction of the work is correct³¹⁶⁴</p> <p>on all copies of the published reproduction are printed: the name of author and original title,³¹⁶⁵ a notice in the language of the reproduction stating that the copy is available for distribution only in Uganda,³¹⁶⁶ a reprint of the original copyright notice³¹⁶⁷</p> <p>subject to licensee's sale of existing copies, licence terminated if copies of the edition in the same language and substantially the same in content as the edition published under the licence have been distributed by reproduction right owner in Uganda in connection with systematic instructional activities, at a reasonable price³¹⁶⁸</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right/owner's agent/Registrar, consistent with normally payable standards of royalties ³¹⁶⁹
Price of publication	
Distribution conditions	copies of reproduced work may not be exported ³¹⁷⁰
Grantor of compulsory licence	Minister

Provision	s 19
Nature of compulsory licence for translation for educational purposes	non-exclusive, ³¹⁷¹ compulsory licence, for making a translation and lawful broadcasting for reception in Uganda ³¹⁷²
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	published work or text of an audio-visual fixation ³¹⁷³
Licence applicant/entity	a broadcasting company ³¹⁷⁴
Purpose of licence	

³¹⁶³ S 18(3)(a).

³¹⁶⁴ S 17(6).

³¹⁶⁵ S 17(6)(a).

³¹⁶⁶ S 17(6)(b).

³¹⁶⁷ S 17(6)(c).

³¹⁶⁸ S 18(3)(c).

³¹⁶⁹ S 17(5).

³¹⁷⁰ S 17(6)(b).

³¹⁷¹ S 19(1).

³¹⁷² S 19(1)(c).

³¹⁷³ S 19(1).

³¹⁷⁴ S 19(1).

Condition of licence	translation is to be made from lawfully acquired copy, or for broadcast intended for teaching or for dissemination of the results of specialised technical or scientific research to experts in a particular profession by broadcast ³¹⁷⁵ translation may not be used for any commercial purpose ³¹⁷⁶
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	translations of audiovisual work or sound recording may only be exchanged between divisions/departments of broadcasting organisation ³¹⁷⁷
Grantor of compulsory licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

³¹⁷⁵ S 19(1)(a), (b).

³¹⁷⁶ S 19(3).

³¹⁷⁷ S 19(2).

Ukraine

1. Legislation Reviewed

Law of 23 December 1993 No. 3792-XII on Copyright and Related Rights (as amended up to 05.12.2012)

2. Private/Personal Use

Provision	Art. 25.1
Scope of private/personal use	reproduction
Type(s) of source work(s)	works previously promulgated in a lawful way
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for personal purposes, including for members of a family
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture in the form of buildings and other structures, reprographic reproduction of books, sheet music and original works of fine art, computer program ³¹⁷⁸ , works the performances of which have been fixed on phonograms or videograms, and the copies thereof limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³¹⁷⁹
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 25.2
Scope of private/personal use	reproduction
Type(s) of source work(s)	works and performances fixed on phonograms and videograms and on copies thereof
Entity exercising private/personal use	
Purpose of private/personal use	in domestic conditions and exclusively for personal purposes, including for members and close acquaintances of a family
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting

³¹⁷⁸ Art. 24 (###excepting use of the computer program and for backup/archival purposes).

³¹⁷⁹ Art. 15.6.

	organizations or other copyright and/or related rights holders ³¹⁸⁰
Subject to Attribution	
Subject to Remuneration	equitable remuneration to be paid by manufacturers and/or importers of equipment and material carriers, by means of the use of which it is possible to reproduce works fixed on phonograms and videograms, ³¹⁸¹ to specified CMOs, to be distributed between authors, performers and producers of phonograms and videograms ³¹⁸²

3. Quotations

Provision	Art. 21(1)
Scope of quotation	use quotations
Type(s) of source work(s)	short excerpts from published works including quotations from newspaper and magazine articles in the form of press reviews, performances and works incorporated in a phonogram, a videogram or a broadcast
Entity exercising quotation	
Purpose of quotation	critical, polemic, scientific or informational for the work incorporating the quotations
Condition of quotation	
Preclusions (not part of quotation)	limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³¹⁸³
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the consent of the author or other copyright holder")

Provision	Arts. 21(1), 42.1
Scope of quotation	use quotations
Type(s) of source work(s)	brief excerpts from performances, works incorporated in a phonogram, videogram, broadcast
Entity exercising quotation	
Purpose of quotation	critical, polemic, scientific or informational for the work incorporating the quotations "for teaching or scientific research" ³¹⁸⁴

³¹⁸⁰ Art. 42.3.

³¹⁸¹ Art. 42.4 (excepting professional equipment and/or material carriers not designed for use for reproduction in domestic conditions, equipment and material carriers exported outside Ukraine and equipment and material carriers imported by physical persons into Ukraine exclusively for personal purposes and without a commercial purpose).

³¹⁸² Art. 42.7 (providing that the distribution be authors (50%), performers (25%) and producers (25%), unless otherwise agreed in a contract between the CMOs concerned).

³¹⁸³ Art. 15.6.

³¹⁸⁴ Art. 42.1(a) (integrating Art. 42.1 into Art. 21, as a specific instance of the use of quotations).

Condition of quotation	no export of reproduced copies of phonograms, videograms and broadcasts outside Ukraine [probably not relevant to use of quotations] ³¹⁸⁵
Preclusions (not part of quotation)	use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting organizations or other copyright and/or related rights holders ³¹⁸⁶
Subject to Attribution	source, author ³¹⁸⁷
Subject to Remuneration	fair remuneration payable based on quantity of copies made to be received by related rights holders ³¹⁸⁸

4. Research/Educational Reproduction

Provision	Art. 23(1)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	excerpts from published written works or audiovisual works
Entity exercising reproduction	
Purpose of educational reproduction	illustrations for teaching
Condition of reproduction	
Frequency/copies and limits	extent of the reproduction is consistent with said purpose
Preclusions (not part of research/educational reproduction)	limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³¹⁸⁹
Subject to Attribution	
Subject to Remuneration	not required ("without the consent of the author or other copyright holder")

Provision	Art. 23(2)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles and other small works and excerpts from written works, with or without illustrations
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	classroom use
Condition of reproduction	
Frequency/copies and limits	reproduction of the work is a single act not of a systematic character

³¹⁸⁵ Art. 42.1(b).

³¹⁸⁶ Art. 42.3.

³¹⁸⁷ Art. 42.1 proviso.

³¹⁸⁸ Art. 42.1(c).

³¹⁸⁹ Art. 15.6.

	extent of the reproduction is consistent with said purpose
Preclusions (not part of research/educational reproduction)	limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³¹⁹⁰
Subject to Attribution	
Subject to Remuneration	not required ("without the consent of the author or other copyright holder")

Provision	Arts. 23(1), 42.1
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	excerpts from performances, phonograms, videograms, broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	illustration "for teaching or scientific research" ³¹⁹¹
Condition of reproduction	
Frequency/copies and limits	no export of reproduced copies of phonograms, videograms and broadcasts outside Ukraine ³¹⁹²
Preclusions (not part of research/educational reproduction)	use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting organizations or other copyright and/or related rights holders ³¹⁹³
Subject to Attribution	source, author ³¹⁹⁴
Subject to Remuneration	fair remuneration based on quantity of copies made to be received by related rights holder ³¹⁹⁵

Provision	Arts. 23(2), 42.1
Scope of research/educational reproduction	"reprographic reproduction" ³¹⁹⁶
Type(s) of source work(s)	performances, phonograms, videograms, broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	illustration "for teaching or scientific research" ³¹⁹⁷
Condition of reproduction	
Frequency/copies and limits	no export of reproduced copies of phonograms, videograms and broadcasts outside Ukraine ³¹⁹⁸

³¹⁹⁰ Art. 15.6.

³¹⁹¹ Art. 42.1(a) (integrating Art. 42.1 into Art. 21, as a specific instance of the use of quotations).

³¹⁹² Art. 42.1(b).

³¹⁹³ Art. 42.3.

³¹⁹⁴ Art. 42.1 proviso.

³¹⁹⁵ Art. 42.1(c).

³¹⁹⁶ Unclear if performances, phonograms, videograms and broadcasts can be replicated by way of reprographic reproduction. [sic]

³¹⁹⁷ Art. 42.1(a) (integrating Art. 42.1 into Art. 21, as a specific instance of the use of quotations).

³¹⁹⁸ Art. 42.1(b).

Preclusions (not part of research/educational reproduction)	use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting organizations or other copyright and/or related rights holders ³¹⁹⁹
Subject to Attribution	source, author ³²⁰⁰
Subject to Remuneration	fair remuneration based on quantity of copies made to be received by related rights holder ³²⁰¹

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 21(2)
Scope of anthologies/compilations limitation/exception	use as illustrations in publications
Type(s) of source work(s)	literary works and works of art
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	of an educational nature
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the intended purpose
Preclusions (not part of anthologies/compilations limitation/exception)	limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³²⁰²
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the consent of the author or other copyright holder")

Provision	Arts. 21(2), 42.1
Scope of anthologies/compilations limitation/exception	use as illustrations in publications
Type(s) of source work(s)	performances, phonograms, videograms, broadcasts
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	of an educational nature "for teaching or scientific research" ³²⁰³
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	to the extent justified by the intended purpose

³¹⁹⁹ Art. 42.3.

³²⁰⁰ Art. 42.1 proviso.

³²⁰¹ Art. 42.1(c).

³²⁰² Art. 15.6.

³²⁰³ Art. 42.1(a) (integrating Art. 42.1 into Art. 21, as a specific instance of the use of quotations).

Preclusions (not part of anthologies/compilations limitation/exception)	no export of reproduced copies of phonograms, videograms and broadcasts outside Ukraine ³²⁰⁴ use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting organizations or other copyright and/or related rights holders ³²⁰⁵
Subject to Attribution	source, author ³²⁰⁶
Subject to Remuneration	fair remuneration based on quantity of copies made to be received by related rights holder ³²⁰⁷

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 21(2)
Scope of broadcast/communication/recording	use as illustrations in broadcasts, sound or video recordings
Type(s) of source work(s)	literary works and works of art
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	of an educational nature
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the intended purpose
Preclusions (not part of broadcast/communication/recording)	limitations of authors' proprietary rights only to be applied if they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the authors ³²⁰⁸
Subject to Attribution	source, author
Subject to Remuneration	not required ("without the consent of the author or other copyright holder")

Provision	Arts. 21(2), 42.1
Scope of broadcast/communication/recording	use as illustrations in broadcasts, sound or video recordings
Type(s) of source work(s)	performances, phonograms, videograms, broadcasts
Entity exercising	

³²⁰⁴ Art. 42.1(b).³²⁰⁵ Art. 42.3.³²⁰⁶ Art. 42.1 proviso.³²⁰⁷ Art. 42.1(c).³²⁰⁸ Art. 15.6.

broadcast/communication/recording	
Purpose of broadcast/communication/recording	of an educational nature “for teaching or scientific research” ³²⁰⁹
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	to the extent justified by the intended purpose no export of reproduced copies of phonograms, videograms and broadcasts outside Ukraine ³²¹⁰
Preclusions (not part of broadcast/communication/recording)	use of objects of related rights shall not conflict with a normal use of performances, phonograms, videograms and broadcasts nor affect the legitimate interests of the performers, producers of phonograms and videograms and broadcasting organizations or other copyright and/or related rights holders ³²¹¹
Subject to Attribution	source, author ³²¹²
Subject to Remuneration	fair remuneration based on quantity of copies made to be received by related rights holder ³²¹³

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

³²⁰⁹ Art. 42.1(a) (integrating Art. 42.1 into Art. 21, as a specific instance of the use of quotations).

³²¹⁰ Art. 42.1(b).

³²¹¹ Art. 42.3.

³²¹² Art. 42.1 proviso.

³²¹³ Art. 42.1(c).

United Arab Emirates

1. Legislation Reviewed

Federal Law No. 7 of the Year 2002 Concerning Copyrights and Neighboring Rights

2. Private/Personal Use

Provision	Art. 22.1
Scope of private/personal use	make a copy
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ³²¹⁴
Entity exercising private/personal use	
Purpose of private/personal use	merely personal and non-commercial or professional but personal use of the copier
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	works of architecture and works of fine and applied arts (unless they are permanently present in public places), ³²¹⁵ computer programs ³²¹⁶
Subject to Attribution	
Subject to Remuneration	not required ("Without prejudice to literary rights of the author")

Provision	Art. 22.6
Scope of private/personal use	performing
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ³²¹⁷
Entity exercising private/personal use	
Purpose of private/personal use	in family meetings
Condition of private/personal use	no direct or indirect remuneration
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("Without prejudice to literary rights of the author")

3. Quotations

Provision	Art. 22.5
Scope of quotation	quotation
Type(s) of source work(s)	short paragraphs, derivation or reasonable analysis of the work, (a performance, phonogram, broadcast) ³²¹⁸
Entity exercising quotation	

³²¹⁴ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

³²¹⁵ Art. 22.7 (excepting use of works of architecture located in public places).

³²¹⁶ Art. 22.2 (excepting use of the computer program and for backup/archival purposes).

³²¹⁷ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

³²¹⁸ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

Purpose of quotation	criticism, discussion, or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("Without prejudice to literary rights of the author")

4. Research/Educational Reproduction

Provision	Art. 22.8
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	written, sound or audio-visual short excerpts of works, (performances, phonograms, broadcasts) ³²¹⁹
Entity exercising reproduction	
Purpose of educational reproduction	cultural, religious, educational or vocational training purposes
Condition of reproduction	copying authority does not aim at direct or indirect profit license for copying was unobtainable in accordance with the provisions of this law
Frequency/copies and limits	copying be in the reasonable limits of its purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	title, author (if feasible)
Subject to Remuneration	not required ("Without prejudice to literary rights of the author")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 22.6
Scope of school performance	performing
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ³²²⁰
Entity exercising school performance	students
Purpose of school performance	in an educational institution
Condition of school performance	no direct or indirect remuneration
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("Without prejudice to literary rights of the author")

³²¹⁹ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

³²²⁰ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 21
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation (and optionally, copying)
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a protected work
Licence applicant/entity	any person
Purpose of licence	exclusively to meet the needs of education in all its types, levels and to the needs of public libraries and archives
Condition of licence	licence application may be made: 3 years from first publication licence application to be supported with reasons to determine the time and place of exploitation licence granted to effect ordinary exploitation of the work
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair reward to author; licence granted to secure non-occurrence of unjustifiable damage to the legitimate interests of the author or his successors in title; council of ministers to issue a decision specifying the fees to be charged
Price of publication	
Distribution conditions	
Grantor of compulsory licence	ministry

Provision	Art. 21
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for copying
Facilities provided in Paris Act, Appendix	Art. 1 declaration renewed and effective until Oct 10, 2024
Type(s) of source work(s)	a protected work
Licence applicant/entity	any person
Purpose of licence	exclusively to meet the needs of education in all its types, levels and to the needs of public libraries and archives
Condition of licence	licence application to be supported with reasons to determine the time and place of exploitation licence granted to effect ordinary exploitation of the work
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair reward to author; licence granted to secure non-occurrence of unjustifiable damage to the legitimate interests of the author or his

	successors in title; council of ministers to issue a decision specifying the fees to be charged
Price of publication	
Distribution conditions	
Grantor of compulsory licence	ministry

9. TPM/RMI Exceptions for Educational Purposes

United Kingdom

1. Legislation Reviewed

Copyright, Designs and Patents Act 1988 (c. 48), revised and updated as of (as of Apr. 11, 2016)

2. Private/Personal Use

Provision	*s 28B; Schedule 2, para. 1B ³²²¹
Scope of private/personal use	making a copy (“personal copy”) ³²²²
Type(s) of source work(s)	a work ³²²³ , a recording of a performance ³²²⁴
Entity exercising private/personal use	an individual
Purpose of private/personal use	for individual’s “private use” ³²²⁵
Condition of private/personal use	work/recording is “individual’s own copy” ³²²⁶ , or a “personal copy” ³²²⁷ of the work/recording made by the individual ³²²⁸ copy is made for ends which are neither directly or indirectly commercial ³²²⁹
Frequency/copies and limits	
Preclusions (not part of private/personal use)	computer program transfer of “personal copy” of work/recording ³²³⁰ or source work/recording while retaining “personal copy”, ³²³¹ to another person (otherwise than on a private and temporary basis), except where transfer/retention is authorized/licensed by copyright owner

³²²¹ Provisions and the Copyright and Rights in Performance (Personal Copies for Private Use) Regulations 2014 (SI 2014/2361) (“the Regulations”) made on 26 August 2014 and coming into force on 1 October 2014 have been quashed *ex nunc*. See British Academy of Songwriters, Composers and Authors v. Secretart of State for Business, Innovation and Skills [2015] EWHC 2014 (Admin).

³²²² S 28B(3).

³²²³ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²²⁴ Schedule 2, para. 1B.

³²²⁵ S 28B(1)(b). S 28B(5), Schedule 2, para. 1B(5) (defining “private use” as private use facilitated by making of a copy as a backup copy, for format shifting, or for purposes of storage, including in an electronic storage area accessed by means of the Internet or similar means accessible only by the individual and the person responsible for the storage area).

³²²⁶ S 28B(2), Schedule 2, para. 1B(2) (defining “individual’s own copy” as a copy which has been lawfully acquired by individual on a permanent basis, is not an infringing copy, and has not been made under any provision of Chapter III or Schedule 2 which permits the making of a copy without infringing copyright/rights). s 28B(4) (defining copy “lawfully acquired on a permanent basis” as including a copy which has been purchased, obtained by way of a gift, or acquired by means of a download resulting from a purchase or gift, and does not include a copy which has been borrowed, rented, broadcast, or streamed, or a copy obtained by means of a download enabling no more than temporary access to the copy).

³²²⁷ S 28B(3), Schedule 2, para. 1B(3) (defining “personal copy” as copy made under s 28B or para. 1B).

³²²⁸ S 28B(1)(a), Schedule 2, para. 1B(1)(a).

³²²⁹ S 28B(1)(c), Schedule 2, para. 1B(1)(c).

³²³⁰ S 28B(6), Schedule 2, para. 1B(4). Any transferred copy is subsequently treated as an infringing copy/illicit recording. S 28B(7), Schedule 2, para. 1B(5).

³²³¹ S 28B(8), Schedule 2, para. 1B(6). Any retailed personal copy is subsequently treated as an infringing copy/illicit recording. S 28B(9), Schedule 2, para. 1B(7).

Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")
Provision	s 29(1); Schedule 2, para. 1C(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work ³²³² , a performance or a recording of a performance ³²³³
Entity exercising private/personal use	
Purpose of private/personal use	research for a non-commercial purpose
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	other than researcher or student: not fair dealing if copying by librarian or person acting on behalf of librarian is not permitted under s 42/Schedule 2, para. 6F, or in any other case, person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ³²³⁴
Subject to Attribution	work: ³²³⁵ unless infeasible, ³²³⁶ title, author (unless anonymous or not possible to ascertain its author if unpublished) ³²³⁷
Subject to Remuneration	not required ("does not infringe any copyright in the work")

Provision	s 29(1C); Schedule 2, para. 1C(2).
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work ³²³⁸ , a performance or a recording of a performance ³²³⁹
Entity exercising private/personal use	
Purpose of private/personal use	private study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	other than researcher or student: not fair dealing if copying by librarian or person acting on behalf of librarian is not permitted under s 42/Schedule 2, para. 6F (single copies of published works/recordings), or in any other case, person doing the copying knows or has reason to believe

³²³² S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²³³ Schedule 2, para. 1C(1).

³²³⁴ S 29(3)(b), Schedule 2, para. 1C(3).

³²³⁵ S 29(1) (requiring "sufficient acknowledgment"). S 178 (defining "sufficient acknowledgment").

³²³⁶ S 29(1B) (noting that no acknowledgment is required where it would be impossible for reasons of practicality or otherwise).

³²³⁷ S 29(1B).

³²³⁸ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²³⁹ Schedule 2, para. 1C(2).

	that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ³²⁴⁰
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe any copyright in the work")

3. Quotations

Provision	s 30(1); Schedule 2, para. 2(1)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work ³²⁴¹ , (a performance or recording) ³²⁴² "made available to the public" ³²⁴³
Entity exercising quotation	
Purpose of quotation	criticism or review, of that work or another work/performance/recording or of a performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	work: unless infeasible, ³²⁴⁴ title, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁴⁵
Subject to Remuneration	not required ("does not infringe any copyright")

Provision	s 30(1ZA); Schedule 2, para. 2(1ZA)
Scope of quotation	use of a quotation
Type(s) of source work(s)	a work ³²⁴⁶ , (a performance or recording) ³²⁴⁷ "made available to the public" ³²⁴⁸
Entity exercising quotation	
Purpose of quotation	whether for criticism or review or otherwise
Condition of quotation	use of quotation is fair dealing with work/performance/recording extent of quotation is no more than required by specific purpose for which it was used
Preclusions (not part of quotation)	
Subject to Attribution	work: ³²⁴⁹ unless infeasible, ³²⁵⁰ title, author (unless anonymous or not possible to ascertain its author

³²⁴⁰ S 29(3)(b), Schedule 2, para. 1C(3).

³²⁴¹ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁴² Sch. 2, para. 2(1).

³²⁴³ S 30(1A) (defining "made available to the public").

³²⁴⁴ S 30(1).

³²⁴⁵ S 178 (defining "sufficient acknowledgment").

³²⁴⁶ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁴⁷ Sch. 2, para. 2(1).

³²⁴⁸ S 30(1A) (defining "made available to the public").

	if unpublished) ³²⁵¹
Subject to Remuneration	not required ("Copyright ... is not infringed")

4. Research/Educational Reproduction

Provision	s 32; Schedule 2, para. 4
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	work ³²⁵² , performance or recording of a performance ³²⁵³
Entity exercising reproduction	person giving or receiving instruction (or preparing for giving or receiving instruction), including setting examination questions, communicating questions to pupils and answering questions ³²⁵⁴
Purpose of educational reproduction	illustration for instruction
Condition of reproduction	non-commercial purpose contract term that purports to prevent or restrict doing of any act which would not infringe copyright is unenforceable
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	work: unless infeasible, work, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁵⁵
Subject to Remuneration	not required ("does not infringe copyright/[neighbouring] rights")

Provision	s 36(1); Schedule 2, para. 6ZA(1)
Scope of research/educational reproduction	copying of extracts
Type(s) of source work(s)	a "relevant work" (a copyright work other than a broadcast or an artistic work not incorporated into another work) ³²⁵⁶ , a recording of a performance ³²⁵⁷
Entity exercising reproduction	by or on behalf of an "educational establishment" ³²⁵⁸

³²⁴⁹ S 30(1ZA)(d).

³²⁵⁰ S 30(1ZA)(d).

³²⁵¹ S 178 (defining "sufficient acknowledgment").

³²⁵² S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁵³ Sch. 2, para. 4(1).

³²⁵⁴ S 32(2).

³²⁵⁵ S 32(1)(c).

³²⁵⁶ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁵⁷ Schedule 2, para. 4.

³²⁵⁸ S 36(4).

³²⁵⁹ Schedule 2, para. 6ZA(1).

³²⁶⁰ S 174(1) (defining an "educational establishment" as any school and any other description as prescribed by the Secretary of State).

Purpose of educational reproduction	for the purposes of instruction
Condition of reproduction	instruction is for a non-commercial purpose no licence authorising acts in question (e.g. copying/recording) of which educational establishment responsible knew or ought to have been aware ³²⁵⁹
Frequency/copies and limits	not more than 5% of any work/recording in 12 months ³²⁶⁰ copies/recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire or communicated otherwise than as permitted by s 36(2)/para. 6ZA(2)) ³²⁶¹ frequency/limit terms of a licence granted to an educational establishment authorizing acts permitted by this provision more restrictive than provision are of no effect ³²⁶²
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	copying of work: ³²⁶³ unless infeasible, title, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁶⁴
Subject to Remuneration	not required ("does not infringe copyright")

Provision	s 29A; Schedule 2, para. 1D
Scope of research/educational reproduction	making a copy
Type(s) of source work(s)	a work ³²⁶⁵ , recording of a performance ³²⁶⁶
Entity exercising reproduction	person who has lawful access to work/recording
Purpose of educational reproduction	computational analysis of anything recorded in work/recording for sole purpose of research
Condition of reproduction	research is for a non-commercial purpose copy cannot be transferred to any other person, unless authorized by copyright owner ³²⁶⁷ copy is used for any other purpose, unless authorized by copyright owner ³²⁶⁸

³²⁵⁹ S 36(6); Schedule 2, para. 6ZA(5).

³²⁶⁰ S 36(5) (providing also that a work which incorporates another work is to be treated as a single work); Schedule 2, para. 6ZA(4).

³²⁶¹ S 36(8); Schedule 2, para. 6ZA(7).

³²⁶² S 36(7); Schedule 2, para. 6ZA(6).

³²⁶³ S 36(1)(b).

³²⁶⁴ S 178 (defining "sufficient acknowledgment").

³²⁶⁵ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁶⁶ Schedule 2, para. 1D.

³²⁶⁷ S 29A(2)(a), Schedule 2, para. 1D(2)(a).

³²⁶⁸ S 29A(2)(b), Schedule 2, para. 1D(2)(b).

	any term of contract that prevents or restricts making of copy under this provision is unenforceable ³²⁶⁹
Frequency/copies and limits	copy made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ³²⁷⁰
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	unless infeasible: title, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁷¹
Subject to Remuneration	not required ("does not infringe copyright/[neighbouring] rights")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 33
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection intended for (any use for the educational purposes) ³²⁷² in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists inclusion does not infringe copyright in the work if work itself is not intended for use in such establishment
Frequency/copies and limits	no more than 2 excerpts from works by same author ³²⁷³ are contained in collections by same publisher within 5 year period ³²⁷⁴
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, author (unless anonymous, or author unascertainable after reasonable inquiry for unpublished work) ³²⁷⁵

³²⁶⁹ S 29A(5).

³²⁷⁰ S 29A(3) (providing that copy that is dealt with is to be treated as infringing copy and dealing is to be treated as infringing copy for all subsequent purposes). s 29A(4) (defining "dealt with").

³²⁷¹ S 178 (defining "sufficient acknowledgment").

³²⁷² S 33(4).

³²⁷³ S 33(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

³²⁷⁴ S 33(2).

Subject to Remuneration	not required ("does not infringe the copyright in the work")
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6. School Performances

Provision	s 34(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil in (a) or by any person in (b)
Purpose of school performance	(a): the course of the activities of educational establishment (b): purposes of instruction at the educational establishment
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ³²⁷⁶ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not a public performance for the purposes of infringement of copyright")

Provision	s 34(2), Sch. 2, para. 5(1)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film or broadcast
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ³²⁷⁷ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not a playing or showing of the work in public for the purposes of infringement of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 32; Schedule 2, para. 4
Scope of broadcast/communication/recording	fair dealing

³²⁷⁵ S 2(1) (defining "sufficient acknowledgement").

³²⁷⁶ S 34(3) ("A person is not for this purpose directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment").

³²⁷⁷ S 34(3) ("A person is not for this purpose directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment"); Sch. 2, para. 5(3) (applying s 34 to para. 5).

Type(s) of source work(s)	work, ³²⁷⁸ performance or recording of a performance ³²⁷⁹
Entity exercising broadcast/communication/recording	person giving or receiving instruction (or preparing for giving or receiving instruction), including setting examination questions, communicating questions to pupils and answering questions
Purpose of broadcast/communication/recording	illustration for instruction
Condition of broadcast/communication/recording	non-commercial purpose contract term that purports to prevent or restrict doing of any act which would not infringe copyright is unenforceable
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	work: unless infeasible, work, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁸⁰
Subject to Remuneration	not required ("does not infringe copyright/[neighbouring] rights")

Provision	s 35(1); Schedule 2, para. 6(1)
Scope of broadcast/communication/recording	a recording, or a copy of such a recording
Type(s) of source work(s)	a broadcast (and any work [and performance/recording] included in it)
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of that establishment
Condition of broadcast/communication/recording	educational purposes are non-commercial no recording/copying if licences are available authorizing acts in question which educational establishment knew or ought to have been aware
Frequency/limits of broadcast/communication/recording	copies/recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire or communicated otherwise than as permitted) ³²⁸¹
Preclusions (not part of broadcast/communication/recording)	

³²⁷⁸ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁷⁹

³²⁸⁰ S 32(1)(c).

³²⁸¹ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁸¹ Schedule 2, para. 4.

³²⁸¹ S 35(5), (6), Sch. 2, para. 6(5), (6).

Subject to Attribution	unless infeasible: title of broadcast, work, author (unless anonymous or not possible to ascertain its author if unpublished) ³²⁸²
Subject to Remuneration	not required ("without thereby infringing the copyright in the broadcast ... or in any work included in it") ³²⁸³

Provision	s 35(2), Schedule 2, para. 6(2)
Scope of broadcast/communication/recording	communication of a recording, or a copy of such a recording (made by virtue of s 35(1) or Sch. 2, para. 6(1))
Type(s) of source work(s)	a broadcast (and any work [and performance/recording] included in it)
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of that establishment
Condition of broadcast/communication/recording	educational purposes are non-commercial no communication if licences are available authorizing acts in question which educational establishment knew or ought to have been aware
Frequency/limits of broadcast/communication/recording	communication received outside premises of educational establishment to be made by means of a secure electronic network accessible only by establishment's pupils and staff copies/recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire or communicated otherwise than as permitted) ³²⁸⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("Copyright is not infringed")

Provision	s 36(2); Schedule 2, para. 6ZA(2)
Scope of broadcast/communication/recording	communication

³²⁸² S 178 (defining "sufficient acknowledgment").

³²⁸³ Special licences for educational establishments are envisaged with respect to such recording activities. Cf. sS 131 (providing that in references to the Copyright Tribunal relating to licences for the recording by or on behalf of educational establishments of broadcasts which include copyright works, or the making of copies of such recordings, for educational purposes, the Tribunal is required to have regard for additional considerations). See Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts) (Educational Recording Agency Limited) Order 2007, S.I. 2007/266, as variously amended, including the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts) (Educational Recording Agency Limited) (Amendment) Order 2013, S.U. 2013/158.

³²⁸⁴ S 1(1), (2) (defining a work as an original literary, dramatic, musical or artistic work, sound recording, film or broadcast, the typographical arrangement of a published edition).

³²⁸⁴ Schedule 2, para. 4.

³²⁸⁴ S 35(5), (6), Sch. 2, para. 6(5), (6).

Type(s) of source work(s)	a copy of a "relevant work" (a copyright work other than a broadcast or an artistic work not incorporated into another work) ³²⁸⁵ [made under s 36(1)], a recording of a performance [made under Schedule 2, para. 6ZA(1)] ³²⁸⁶
Entity exercising broadcast/communication/recording	by or on behalf of an "educational establishment" ³²⁸⁷
Purpose of broadcast/communication/recording	to pupils or staff of educational establishment for the purposes of instruction
Condition of broadcast/communication/recording	instruction is for a non-commercial purpose no licence authorising acts in question (e.g. copying/recording) of which educational establishment responsible knew or ought to have been aware ³²⁸⁸
Frequency/limits of broadcast/communication/recording	communication received outside premises of establishment to be made by means of a secure electronic network accessible only by establishment's pupils and staff ³²⁸⁹ not more than 5% of any work/recording in 12 months ³²⁹⁰ copies/recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire or communicated otherwise than as permitted by s 36(2)/para. 6ZA(2)) ³²⁹¹ frequency/limit terms of a licence granted to an educational establishment authorizing acts permitted by this provision more restrictive than provision are of no effect ³²⁹²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("does not infringe copyright")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 296ZE
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³²⁸⁵ S 36(4).

³²⁸⁶ Schedule 2, para. 6ZA(1).

³²⁸⁷ S 174(1) (defining an "educational establishment" as any school and any other description as prescribed by the Secretary of State).

³²⁸⁸ S 36(6); Schedule 2, para. 6ZA(5).

³²⁸⁹ S 36(3), Schedule 2, para. 6ZA(3).

³²⁹⁰ S 36(5) (providing also that a work which incorporates another work is to be treated as a single work); Schedule 2, para. 6ZA(4).

³²⁹¹ S 36(8); Schedule 2, para. 6ZA(7).

³²⁹² S 36(7); Schedule 2, para. 6ZA(6).

Scope of TPM/RMI exception	require rightholder/exclusive licensee who used effective “technological measures” ³²⁹³ in respect of work to take voluntary measures ³²⁹⁴ or make available means ³²⁹⁵ to ensure for the “beneficiaries” the benefit of the exception
Type(s) of source work(s)	work, performance, ³²⁹⁶ database, ³²⁹⁷ publication ³²⁹⁸ (but not applicable to works available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ³²⁹⁹)
Beneficiary exercising exception	<p>“beneficiaries”: a person (or a person being a representative of a class of persons) who are prevented, by any effective technological measure from carrying out an act in relation to copyright works etc. (to which they have lawful access³³⁰⁰) which are permitted (“permitted acts”), as listed in Schedule 5A, for, <i>inter alia</i>:</p> <p>things done for purposes of instruction or examination (ss 32(1), (3), (3)),</p> <p>recording by educational establishments of broadcasts (s 35),</p> <p>reprographic copying by educational establishments of passages from published works (s 36),</p> <p>paragraph 4 of Schedule 2 (things done for purposes of instruction or examination) (Sch. 2, para. 4),</p> <p>recording of broadcasts by educational establishments (Sch. 2, para. 6)</p>
Purpose of exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of exception	

Provision	s 296ZEA
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³²⁹³ S 296ZF (defining “technological measures” as any technology, device or component which is designed, in the normal course of its operation, to protect acopyright work other than a computer program(.

³²⁹⁴ S 296ZE(3)(a).

³²⁹⁵ S 296ZE(3)(b).

³²⁹⁶ S 296ZE(11)(a).

³²⁹⁷ S 296ZE(11)(b).

³²⁹⁸ S 296ZE(11)(c).

³²⁹⁹ S 296ZE(9), taken from EU Copyright Directive 2001/29, Art. 6(4).

³³⁰⁰ S 296ZE(10).

Scope of TPM/RMI exception	[directions by the Secretary of State] ³³⁰¹ to require rightholder/exclusive licensee who used “restrictive measures” ³³⁰² in respect of work to take “voluntary measure or agreement” ³³⁰³ or make available means ³³⁰⁴ to ensure for the “beneficiary” the benefit of [being able to] make a “personal copy” ³³⁰⁵ or personal copies of a copyright work under s 28B
Type(s) of source work(s)	work, performance, ³³⁰⁶ publication ³³⁰⁷ (but not applicable to works/recording of performance/publication available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ³³⁰⁸)
Beneficiary exercising exception	“beneficiaries”: an individual or a person being a representative of a class of such individuals, who are prevented, by any “restrictive measure” from making a personal copy of a copyright work, or is restricted in the number of personal copies of it which may be made (to which each copy if the individual’s own copy or a personal copy made by the individual ³³⁰⁹)
Purpose of exception	whether the restrictive measure unreasonably prevents or restricts the making of personal copies, in particular, having regard to the right of copyright owner to adopt adequate measures to limit the number of personal copies made, and whether other copies of work are commercially available on reasonable terms by or with authority of copyright owner in a form which does not prevent or unreasonably restrict making of personal copies ³³¹⁰
Condition of exception	

³³⁰¹ S 296ZEA(3).

³³⁰² S 296ZEA(8) (defining “restrictive measure” as any technology, device or component designed, in the normal course of its operation, to protect the rights of copyright owners, which has the effect of preventing a copyright work from being copied (in whole or in part) or restricting the number of copies which may be made).

³³⁰³ S 296ZEA(3)(a).

³³⁰⁴ S 296ZEA(3)(b).

³³⁰⁵ S 296ZEA(8) (defining “personal copy” as copy of a copyright work which may be made under s 28B).

³³⁰⁶ S 296ZEA(9)(a).

³³⁰⁷ S 296ZEA(9)(b).

³³⁰⁸ S 296ZEA(7), taken from EU Copyright Directive 2001/29, Art. 6(4).

³³⁰⁹ S 28B(a).

³³¹⁰ S 296ZEA(4).

United Republic of Tanzania

1. Legislation Reviewed

Copyright and Neighbouring Rights Act, 1999

2. Private/Personal Use

Provision	s 12(2)(a)
Scope of private/personal use	production, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a lawfully published protected work (in original or in translation), (a performance, sound recording, broadcast) ³³¹¹
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal and private use
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	works of architecture, computer programs "reproduction does not conflict with normal exploitation of the work and does not unreasonably prejudice the legitimate interest of the author"
Subject to Attribution	
Subject to Remuneration	not required ("without ... the obligation to pay remuneration")

3. Quotations

Provision	s 12(2)(b)
Scope of quotation	inclusion, in another work
Type(s) of source work(s)	a lawfully published work (in original or in translation), including ³³¹² newspaper articles and periodicals in the form of press summaries, (a performance, sound recording, broadcast) ³³¹³
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	quotations are compatible with fair practice quotations do not exceed extent justified by the purpose
Preclusions (not part of quotation)	works of architecture, computer programs
Subject to Attribution	source, author (if indicated on source)

³³¹¹ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

³³¹² S 12(2)(b) uses the expression "including quotations for [sic] newspaper articles", but the context suggests that it should refer to quotations *from* newspaper articles, since the content of what "another work" constitutes is never particularized in the provision.

³³¹³ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

Subject to Remuneration	not required ("without ... the obligation to pay remuneration")
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4. Research/Educational Reproduction

Provision	s 12(7)
Scope of research/educational reproduction	reproduction, by photography of sound or video recording, or electronic storage
Type(s) of source work(s)	literary and artistic works which have already been lawfully made available to the public, (a performance, sound recording, broadcast) ³³¹⁴
Entity exercising reproduction	public libraries, non-commercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	regular activities of the entity
Condition of reproduction	
Frequency/copies and limits	reproduction, the number of copies made, and the use thereof are limited to the need of the entity reproducing the work
Preclusions (not part of research/educational reproduction)	reproduction/storage "neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author"
Subject to Attribution	
Subject to Remuneration	not required ("without ... the obligation to pay remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(2)(c)
Scope of anthologies/compilations limitation/exception	utilization by way of illustration in publications
Type(s) of source work(s)	a lawfully published work (in original or in translation), (a performance, sound recording, broadcast) ³³¹⁵
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes of the work, for use in schools, education, universities and professional training
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Frequency/copies and limits	utilization to extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	works of architecture, computer program
Subject to Attribution	source, author
Subject to Remuneration	not required ("without ... the obligation to pay

³³¹⁴ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

³³¹⁵ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

	remuneration")
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6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 12(2)(c)
Scope of broadcast/communication/recording	utilization in broadcasts, programs distributed by cable, or sound or visual recordings
Type(s) of source work(s)	a lawfully published work (in original or in translation), (a performance, sound recording, broadcast) ³³¹⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the communication for teaching purposes of the work broadcast or distributed by cable, for use in schools, education, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	utilization to extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	works of architecture, computer program
Subject to Attribution	source, author
Subject to Remuneration	not required ("without ... the obligation to pay remuneration")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

³³¹⁶ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

United States of America

1. Legislation Reviewed

U.S. Copyright Act, Title 17

Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981

Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals

Guidelines for Educational Uses of Music

U.S. Copyright Office, Circular 21: Reproduction Of Copyrighted Works By Educators and Librarians (2014)

2. Private/Personal Use

Provision	s 107
Scope of private/personal use	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising private/personal use	
Purpose of private/personal use	[any <i>individual</i> may reproduce a copyrighted work for [...] fair use] ³³¹⁷ purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research
Condition of private/personal use	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

³³¹⁷ Sony Corp. of America v. Universal City Studios, Inc., 104 S.Ct. 774, 784, 464 U.S. 417, 444 ("Any individual may reproduce a copyrighted work for a "fair use;" the copyright owner does not possess the exclusive right to such a use.").

3. Quotations

Provision	s 107
Scope of quotation	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising quotation	
Purpose of quotation	purposes such as criticism, comment, ³³¹⁸
Condition of quotation	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

4. Research/Educational Reproduction

Provision	s 107
Scope of research/educational reproduction	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising reproduction	
Purpose of educational reproduction	purposes such as teaching (including multiple copies for classroom use) ³³¹⁹ , scholarship, or research
Condition of reproduction	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use,

³³¹⁸ See, e.g., *New Era Publications Intern., ApS v. Carol Publication. Group*, 904 F.2d 152, 156 (2nd Cir, 1990) (holding that use of quotations from copyrighted works of biography to convey the author's criticism had the purpose and character necessary for a finding of fair use); *Rubin v. Brooks/Cole Publication. Co.*, 836 F.Supp. 909 (D. Mass., 1993) (holding that use and incorporation of psychological instrument known as "love scale" in college social psychology textbook, which reprinted the "love scale" without the copyright holder's permission, was "fair use" as it presented copyrighted work in productive and scholarly manner within an educational setting for the purposes of teaching and higher learning and did not supersede the original author's work).

³³¹⁹ See, *Cambridge University Press v. Patton*, 769 F.3d 1232, 1274 (11th Cir. 2014) (also accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use, but reversing and remanding a lower court decision, which had held that the posting of unlicensed portions of copyrighted books electronically and making them available electronically to students amounted to fair use).

	including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

Provision	Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals ³³²⁰
Scope of research/educational reproduction	single copying
Type(s) of source work(s)	books and periodicals: a chapter from a book, an article from a periodical or newspaper, a short story, short essay or short poem, a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper
Entity exercising reproduction	not-for-profit educational institutions, by or for a teacher
Purpose of educational reproduction	scholarly research or use in teaching or preparation to teach a class
Condition of reproduction	copy at the teacher's individual request
Frequency/copies and limits	a single copy
Preclusions (not part of research/educational reproduction)	copying to create or replace or substitute for anthologies, compilations or collective works, copying of works intended to be "consumable" in the course of study or of teaching e.g. workbooks etc., copying as a substitute for the purchase of books, reprints or periodicals etc. ³³²¹
Subject to Attribution	
Subject to Remuneration	not required ("purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107")

³³²⁰ The use of books and periodicals by way of classroom copying is spelt out in the U.S. Congressional Committee-approved Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals, Conf. Rep. No. 1733, 94th Cong., 2d Sess. 70. See U.S. Copyright Office, CIRCULAR 21: REPRODUCTION OF COPYRIGHTED WORKS BY EDUCATORS AND LIBRARIANS (2014), available at <http://www.copyright.gov/circs/circ21.pdf>. Though not controlling on the court, the guidelines are instructive as they spell out the minimum, not maximum, amount of allowable educational fair use under s 107, as to the qualifications, frequency and limits, and were not intended to limit fair use in any way. Courts have treated them as being the accepted understanding of fair use by House and Senate conferees, and as having persuasive authority. See e.g., Basic Books, Inc. v. Kinko's Graphics Corp., 758 F.Supp. 1522–36 (S.D.N.Y.1991), Am. Geophysical Union v. Texaco Inc., 60 F.3d 913, 919 (2d Cir. 1994), Princeton Univ. Press v. Michigan Document Servs., Inc., 99 F.3d 1381, 1390 (6th Cir. 1996).

³³²¹ *Id.*, Part III.

Provision	Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals ³³²²
Scope of research/educational reproduction	multiple copying
Type(s) of source work(s)	books and periodicals
Entity exercising reproduction	not-for-profit educational institutions, by or for a teacher giving the course
Purpose of educational reproduction	for classroom use or discussion
Condition of reproduction	“spontaneity” test: copying is at the instance and inspiration of the individual teacher, and that the inspiration and decision to use the work and moment of its use for maximum teaching effectiveness are so close that it would be unreasonable to expect a timely reply to a request for permission
Frequency/copies and limits	not to exceed more than 1 copy per pupil in a course “brevity” test: poetry – a complete poem if less than 250 words and if printed on not more than 2 pages, or from a longer poem, an excerpt of not more than 250 words; prose – either a complete article, story or essay of less than 2,500 words, or an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event, a minimum of 500 words (but the aforesaid limits may be expanded to permit the completion of an unfinished line of poem or prose paragraph); illustration – one chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue; special works – certain works in poetry, prose or poetic prose which combine language with illustrations and are intended sometimes for children and at other times for a more general audience that are less than 2,500 words in their entirety, may not be reproduced in their entirety but an excerpt comprising not more than 2 of the published pages and not more than 10% of the words found in the text may be reproduced “cumulative effects” test: (i) copying is for only one course in the school, (ii) not more than 1 short poem, article, story, essay or two excerpts may be copied from the same author, or more than 3 from the same collective work or periodical

³³²² *Id.* Note that because the guidelines only spell out the minimum amount of allowable educational fair use under s 107, even if the guidelines are not complied with, such use, for instance, multiple copying, may still be a fair use. See, *Cambridge University Press v. Patton*, 769 F.3d 1232, 1274 (11th Cir. 2014) (accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use).

	<p>volume during one class term, and (iii) not more than 9 instances of such multiple copying for one course during one class term, but (ii) and (iii) shall not apply to current news periodicals and newspapers and current news sections of other periodicals</p> <p>each copy includes a notice of copyright³³²³</p>
Preclusions (not part of research/educational reproduction)	<p>copying to create or replace or substitute for anthologies, compilations or collective works, copying of works intended to be "consumable" in the course of study or of teaching e.g. workbooks etc., copying as a substitute for the purchase of books, reprints or periodicals etc.³³²⁴</p>
Subject to Attribution	
Subject to Remuneration	<p>not required ("purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107")</p>

Provision	Guidelines for Educational Uses of Music ³³²⁵
Scope of research/educational reproduction	copying
Type(s) of source work(s)	musical works, recordings of performances, sound recordings
Entity exercising reproduction	
Purpose of educational reproduction	educational uses of music
Condition of reproduction	
Frequency/copies and limits	<p>emergency copying to replace purchased copies, or</p> <p>academic purposes other than performance: single or multiple copies where the excerpts do not comprise a performable unit (but not more than 10% of the whole work), and not more than 1 copy per pupil; or</p> <p>editing or simplification of purchased printed copies, without distorting the character of the work or lyrics; or</p> <p>for evaluation or rehearsal purposes: a single copy of recordings of performances by students; or</p> <p>conducting aural exercises or examinations: a single copy of a sound recording of copyrighted</p>

³³²³ Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals, *id.*

³³²⁴ *Id.*, Part III.

³³²⁵ Guidelines for Educational Uses of Music was approved by the U.S. Congressional Committee. Both are reproduced in the U.S. Copyright Office, CIRCULAR 21: REPRODUCTION OF COPYRIGHTED WORKS BY EDUCATORS AND LIBRARIANS (2014), available at <http://www.copyright.gov/circs/circ21.pdf>. Though not controlling on the court, the guidelines are instructive as they spell out the minimum, not maximum, amount of allowable educational fair use under s 107, as to the qualifications, frequency and limits, and were not intended to limit fair use in any way.

	music from sound recordings owned by an educational institution or teacher. ³³²⁶
Preclusions (not part of research/educational reproduction)	(except as allowed above): copying to create or replace or substitute for anthologies, compilations or collective works, copying of or form works intended to be "consumable" e.g. workbooks, exercises, etc., copying for the purpose of performance, copying for the purpose of substituting for the purchase of music, and copying without inclusion of existing copyright notice. ³³²⁷
Subject to Attribution	
Subject to Remuneration	not required ("purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 107
Scope of anthologies/compilations limitation/exception	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of anthologies/compilations limitation/exception	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	

³³²⁶ *Id.*, Part A (Permissible Uses).

³³²⁷ *Id.*, Part B (Prohibitions).

Subject to Remuneration	coursepacks: ³³²⁸ copyright clearance obtained via department administration, university bookstores, private clearance services such as Copyright Clearance Center (fees are based on cost of copyright permission for material copied – approximately US\$0.08 to US\$0.10 per copied page, plus copying, binding, clearance service's processing fee and store markup) ³³²⁹
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6. School Performances

Provision	s 107
Scope of school performance	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising school performance	
Purpose of school performance	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of school performance	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

Provision	s 110(1)
Scope of school performance	performance or display

³³²⁸ The general rule is that the assembly and printing of coursepacks is not fair use and requires copyright clearance. See, e.g., *Marcus v. Rowley*, 695 F.2d 1171 (9th Cir. 1983) (holding that the use of copyrighted booklet in "learning activity package" which included some of material in copyrighted booklet was not protected fair use); *Basic Books Inc. v. Kinko's Graphics Corp.*, 758 F. Supp. 1522 (S.D. N.Y. 1991) (holding that copy shop infringed a publisher's copyright when it reprinted portions of a book in an academic coursepack); *Princeton Univ. v. Michigan Document Servs.*, 99 F.3d 1381 (6th Cir. 1996) (holding that copy shop copying of course materials for students and professors did not qualify as fair use, based on the amount and substantiality of the portions taken and the loss of licensing revenues for academic publishers, while the copy shop was making money on the coursepacks).

³³²⁹ Stanford University Libraries, Academic Coursepacks, at <http://fairuse.stanford.edu/overview/academic-and-educational-permissions/academic-coursepacks/>.

Type(s) of source work(s)	a work
Entity exercising school performance	by instructors or pupils
Purpose of school performance	in the course of face-to-face teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction
Condition of school performance	
Preclusions (not part of school performance)	a motion picture or other audiovisual work: source work was not lawfully made, and person responsible for performance knew or had reason to believe it was not lawfully made
Subject to Attribution	
Subject to Remuneration	not required ("not infringements of copyright")

Provision	s 110(2)
Scope of school performance	performance or display, by or in the course of a transmission
Type(s) of source work(s)	a nondramatic literary or musical work or reasonable and limited portions of any other work
Entity exercising school performance	a governmental body or an accredited nonprofit educational institution ³³³⁰
Purpose of school performance	performance or display is directly related and of material assistance to the teaching content of the transmission ³³³¹
Condition of school performance	<p>performance or display is made by, at the direction of, or under the actual supervision of an instructor³³³² of [government body/educational institution as entity]</p> <p>performance or display is an integral part of a class session³³³³</p> <p>performance or display is offered as a regular part of the systematic "mediated instructional activities"³³³⁴ of [government body/educational institution as entity]</p> <p>performance or display is in an amount comparable to that which is typically displayed in the course of a live classroom session³³³⁵</p>

³³³⁰ S 110(2)(A).³³³¹ S 110(2)(B).³³³² S 110(2)(A).³³³³ S 110(2)(A).³³³⁴ S 110 (defining "mediated instructional activities" with respect to the performance or display of a work by digital transmission under this section to refer to activities that use such work as an integral part of the class experience, controlled by or under the actual supervision of the instructor and analogous to the type of performance or display that would take place in a live classroom setting. The term does not refer to activities that use, in 1 or more class sessions of a single course, such works as textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention or are typically purchased or acquired for elementary and secondary students for their possession and independent use.).³³³⁵ S 110(2).

	<p>transmission is made solely for, and, to the extent technologically feasible, its reception is limited to officially enrolled students and officers or employees of governmental bodies as part of their official duties³³³⁶</p> <p>transmitting body/institution institutes copyright policies and provides copyright notices to students³³³⁷</p> <p>(for digital transmissions) transmitting body/institution applies technological measures that reasonably prevent retention of the work for longer than the class session, and unauthorised further dissemination,³³³⁸ and does not interfere with technological measures used by copyright owners to this end³³³⁹</p>
Preclusions (not part of school performance)	<p>work is one produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks,³³⁴⁰ or</p> <p>a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired under this title, and the transmitting government body or accredited nonprofit educational institution knew or had reason to believe was not lawfully made and acquired³³⁴¹</p>
Subject to Attribution	
Subject to Remuneration	not required ("not infringements of copyright")

Provision	s 110(4)
Scope of school performance	performance, otherwise than in a transmission to the public
Type(s) of source work(s)	a nondramatic literary or musical work
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	<p>without any purpose of direct or indirect commercial advantage³³⁴²</p> <p>without payment of any fee or other compensation for the performance to any of its performers, promoters, or organizers³³⁴³</p>

³³³⁶ S 110(2)(C).
³³³⁷ S 110(2)(D)(i)
³³³⁸ S 110(2)(D)(ii)(I).
³³³⁹ S 110(2)(D)(ii)(II)).
³³⁴⁰ S 110(2).
³³⁴¹ S 110(2).
³³⁴² S 110(4).
³³⁴³ S 110(4).

	no direct or indirect admission charge ³³⁴⁴ proceeds, after deducting the reasonable costs of producing the performance, are used exclusively for educational, religious, or charitable purposes and not for private financial gain ³³⁴⁵
Preclusions (not part of school performance)	except where the copyright owner has served notice, in writing, in compliance with form, content and manner of service, of objection to the performance, at least 7 days before the performance, with reasons ³³⁴⁶
Subject to Attribution	
Subject to Remuneration	not required ("not infringements of copyright")

7. Educational Broadcasts/Communications/Recordings

Provision	s 107
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies <i>or phonorecords</i> or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes such as teaching (including multiple copies for classroom use) ³³⁴⁷ , scholarship, or research
Condition of broadcast/communication/recording	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	

³³⁴⁴ S 110(4)(A).

³³⁴⁵ S 110(4)(B).

³³⁴⁶ S 110(4)(B) proviso.

³³⁴⁷ See, *Cambridge University Press v. Patton*, 769 F.3d 1232, 1274 (11th Cir. 2014) (also accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use, but reversing and remanding a lower court decision, which had held that the posting of unlicensed portions of copyrighted books electronically and making them available electronically to students amounted to fair use).

Subject to Remuneration	not required ("is not an infringement of copyright")
Provision	s 110(2)
Scope of broadcast/communication/recording	performance or display, by or in the course of a transmission (and to make copies or phonorecords of a work embodying the performance or display for such transmission) ³³⁴⁸
Type(s) of source work(s)	a nondramatic literary or musical work or reasonable and limited portions of any other work [e.g. audiovisual works]
Entity exercising broadcast/communication/recording	a governmental body or an accredited nonprofit educational institution ³³⁴⁹
Purpose of broadcast/communication/recording	performance or display is directly related and of material assistance to the teaching content of the transmission ³³⁵⁰
Condition of broadcast/communication/recording	performance or display is made by, at the direction of, or under the actual supervision of an instructor ³³⁵¹ of [government body/educational institution as entity] performance or display as an integral part of a class session ³³⁵² performance or display offered as a regular part of the systematic "mediated instructional activities" ³³⁵³ of [government body/educational institution as entity] transmitting body/institution institutes copyright policies and provides copyright notices to students ³³⁵⁴
Frequency/limits of broadcast/communication/recording	performance or display is in an amount comparable to that which is typically displayed in the course of a live classroom session ³³⁵⁵

³³⁴⁸ S 112(f)(1) (extending s 110(2) to encompass the making of copies or phonorecords of a digital or analog work (solely to the extent permitted in s 112(f)(2)) where such copies or phonorecords are used solely for s 110(2) transmission). S 112(f)(2) permits the conversion into digital form of an analogue version (if no digital version is available to the institution) or a digital version subject to technological protection measures that prevent its s 110(2) use.

³³⁴⁹ S 110(2)(A).

³³⁵⁰ S 110(2)(B).

³³⁵¹ S 110(2)(A).

³³⁵² S 110(2)(A).

³³⁵³ S 110 (defining "mediated instructional activities" with respect to the performance or display of a work by digital transmission under this section to refer to activities that use such work as an integral part of the class experience, controlled by or under the actual supervision of the instructor and analogous to the type of performance or display that would take place in a live classroom setting. The term does not refer to activities that use, in 1 or more class sessions of a single course, such works as textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention or are typically purchased or acquired for elementary and secondary students for their possession and independent use.).

³³⁵⁴ S 110(2)(D)(i)

³³⁵⁵ S 110(2).

	<p>transmission is made solely for, and, to the extent technologically feasible, its reception is limited to officially enrolled students and officers or employees of governmental bodies as part of their official duties³³⁵⁶</p> <p>(for digital transmissions) transmitting body/institution applies technological measures that reasonably prevent retention of the work for longer than the class session, and unauthorised further dissemination,³³⁵⁷ and does not interfere with technological measures used by copyright owners to this end³³⁵⁸</p>
Preclusions (not part of broadcast/communication/recording)	<p>work is one produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks,³³⁵⁹ or</p> <p>a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired under this title, and the transmitting government body or accredited nonprofit educational institution knew or had reason to believe was not lawfully made and acquired</p>
Subject to Attribution	
Subject to Remuneration	not required ("not infringements of copyright")

Provision	s 107
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of broadcast/communication/recording	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use,

³³⁵⁶ S 110(2)(C).

³³⁵⁷ S 110(2)(D)(ii)(I).

³³⁵⁸ S 110(2)(D)(ii)(II). The effect of this requirement, read with the requirement above about reasonable and limited portions of other works, is that even if the source work is an analogue audiovisual work to which no technological measures are applied, while it can be digitized (by the entity) for digital transmissions, only "reasonable and limited portions" of it can be transmitted. See, e.g., University of Texas, Copyright Crash Course, <https://copyright.lib.utexas.edu/teachact.html>.

³³⁵⁹ S 110(2).

	including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("is not an infringement of copyright")

Provision	Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981 ³³⁶⁰
Scope of broadcast/communication/recording	off-air recording and retention of recording
Type(s) of source work(s)	a "broadcast program" ³³⁶¹ (simultaneously with broadcast transmission, including simultaneous cable retransmission)
Entity exercising broadcast/communication/recording	non-profit educational institutions ³³⁶²
Purpose of broadcast/communication/recording	educational purposes – used for teaching activities, and for teacher evaluation purposes
Condition of broadcast/communication/recording	no alteration of recorded programs from their original content, or physically or electronically combined to constitute teaching anthologies or compilations ³³⁶³ educational institutions to establish appropriate control procedures to maintain the integrity of these guidelines ³³⁶⁴
Frequency/limits of	broadcast program may be recorded and retained

³³⁶⁰ Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981, Congressional Record, E4750-E4752, available at <http://policy.ucop.edu/doc/2100006/BroadcastRecording>. The guidelines reflect the consensus of the negotiating committee, consisting of representatives from educational organizations, copyright proprietors and creative guilds and unions, as to the application of fair use in s 107 to the recording, retention and use of television broadcast programs for educational purposes.

³³⁶¹ Para. 2 (defining "broadcast programs" as television programs transmitted by television stations for reception by the general public without charge). The guidelines do not cover public domain programs, such as daily network newscasts. Many producers of public education programs, especially those receiving State support, licence non-profit educational institutions to tape their programs without a fee, such as those programs funded by the California Public Broadcasting Commission (CPBC) contract or grant or the California Council for the Humanities (CPBC/CCH) joint fund. See, e.g., the University of California Policy: Off-Air Recording of Broadcast Programming for Educational Purposes, Sep. 24, 1985, available at <http://policy.ucop.edu/doc/2100006/BroadcastRecording>.

³³⁶² Para. 1.

³³⁶³ Para. 7.

³³⁶⁴ Para. 9. Schools are required to document their compliance, including the making and keeping of records of teacher requests, dates of taping, times shown and number of copies made. The guidelines do not require formal enforcement.

<p>broadcast/communication/recording</p>	<p>for not more than 45 days (from date of recording) ("retention period")³³⁶⁵</p> <p>off-air recordings may only be made at request of and used by individual teachers (no regular recording or anticipated recording)³³⁶⁶</p> <p>no broadcast program may be recorded off-air more than once at the request of the same teacher³³⁶⁷</p> <p>a limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines³³⁶⁸</p> <p>during first 10 consecutive school days in retention period, off-air recordings may be used by individual teachers in the course of relevant teaching activities, and repeated once only for instructional reinforcement, in classrooms and similar places devoted to instruction³³⁶⁹</p> <p>after first 10 consecutive school days, to the end of retention period, off-air recordings may only be used for teacher evaluation purposes (to determine whether or not to include broadcast program in teaching curriculum)³³⁷⁰</p>
<p>Preclusions (not part of broadcast/communication/recording)</p>	<p>programs available only from cable television services³³⁷¹</p> <p>off-air recordings for student exhibition or non-evaluation purposes without authorisation³³⁷²</p>
<p>Subject to Attribution</p>	<p>all copies to include copyright notice on broadcast programs as recorded³³⁷³</p>
<p>Subject to Remuneration</p>	<p>not required ("The following guidelines reflect ... consensus as to the application of fair use to the recording, retention, and use of television broadcast programs for educational purposes")</p>

³³⁶⁵ Para. 2.

³³⁶⁶ Para. 4.

³³⁶⁷ Para. 4.

³³⁶⁸ Para. 5.

³³⁶⁹ Para. 3. This includes homes of students receiving formalized home instruction.

³³⁷⁰ Para. 6.

³³⁷¹ Since these are subscription only and not "broadcast programs ... for reception by the general public without charge".

³³⁷² Para. 6.

³³⁷³ Para. 9.

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 1201(d)
Scope of TPM/RMI exception	circumventing technological access control measure
Type(s) of source work(s)	a commercially exploited copyrighted work (not reasonably available in non-technologically protected form) ³³⁷⁴
Beneficiary exercising exception	a nonprofit library, archives, or educational institution
Purpose of exception	sole purpose of making an acquisition decision in relation to the work
Condition of exception	copy of work to which access has been so gained “may not be retained longer than necessary to make such good faith determination” ³³⁷⁵ and “may not be used for any other purpose” ³³⁷⁶ beneficiary does not circumvent technological access control measure wilfully for the purposes of commercial advantage or financial gain ³³⁷⁷ beneficiary not permitted to manufacture, import, offer to the public, provide, or otherwise traffic in any technology, product, service, component, or part thereof, which circumvents a technological measure ³³⁷⁸

Provision	s 1201(g)
Scope of TPM/RMI exception	circumventing technological access control measure
Type(s) of source work(s)	technological measure applied to a copy, phonorecord, performance, or display of a published work
Beneficiary exercising exception	a person engaged in a legitimate course of study, is employed, or is trained or experienced, in the field of encryption technology ³³⁷⁹
Purpose of exception	good faith “encryption research” ³³⁸⁰ (into encryption technology ³³⁸¹)
Condition of exception	circumvention relates to lawfully obtained

³³⁷⁴ S 1201(d)(2).

³³⁷⁵ S 1201(d)(1)(A).

³³⁷⁶ S 1201(d)(1)(B).

³³⁷⁷ S 1201(d)(3).

³³⁷⁸ S 1201(d)(4).

³³⁷⁹ S 1201(g)(3)(B).

³³⁸⁰ S 1201(g)(1)(A) (defining “encryption research” as activities necessary to identify and analyze flaws and vulnerabilities of encryption technologies applied to copyrighted works, if these activities are conducted to advance the state of knowledge in the field of encryption technology or to assist in the development of encryption products).

³³⁸¹ S 1201(g)(1)(B) (defining “encryption technology” as the scrambling and descrambling of information using mathematical formulas or algorithms).

	<p>encrypted copy etc. of work³³⁸²</p> <p>circumvention is necessary to conduct such research³³⁸³</p> <p>person has made good faith effort to obtain authorisation before circumvention³³⁸⁴</p> <p>circumvention act does not constitute copyright infringement or violation of applicable law (including the Computer Fraud and Abuse Act)³³⁸⁵</p>
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³³⁸² S 1201(g)(2)(A).

³³⁸³ S 1201(g)(2)(B).

³³⁸⁴ S 1201(g)(2)(C).

³³⁸⁵ S 1201(g)(2)(D).

Uruguay

1. Legislation Reviewed

Law No. 9.739 of 17 December 1937 on Copyright (as last amended by Law No. 18.046 of October 24, 2006)

2. Private/Personal Use

Provision	Art. 44.B,1
Scope of private/personal use	performance
Type(s) of source work(s)	works in any form and by any means
Entity exercising private/personal use	
Purpose of private/personal use	made within strictly family gatherings
Condition of private/personal use	performance takes place outside the domestic environment ³³⁸⁶ gathering shall not have gainful intent no disco, audio service or alike shall be used any live performer shall participate in the gathering only domestic (non-professional) music apparatus shall be used
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be considered to be lawful")

3. Quotations

Provision	Art. 45.4
Scope of quotation	transcriptions
Type(s) of source work(s)	
Entity exercising quotation	
Purpose of quotation	intended for comments, reviews or polemics
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("is not unlawful")

³³⁸⁶ Art. 44.B.1 (providing that any performance shall be considered to be made in a public place where it takes place outside the domestic environment).

4. Research/Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 45.1
Scope of anthologies/compilations limitation/exception	publication by [radio or] the press, of works intended for teaching
Type(s) of source work(s)	extracts, fragments of poetry and separate articles
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	author
Subject to Remuneration	not required ("Reproduction is not unlawful")

Provision	Art. 45.2
Scope of anthologies/compilations limitation/exception	publication by [radio or] the press
Type(s) of source work(s)	oral lessons given by [inter alia] teachers
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	not required ("Reproduction is not unlawful")

6. School Performances

Provision	Art. 44.B,1
Scope of school performance	performance
Type(s) of source work(s)	works in any form and by any means
Entity exercising school performance	
Purpose of school performance	gatherings that take place in teaching institutions, whether public or private
Condition of school performance	gathering does not have gainful intent
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("shall be considered to be lawful")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 45.1
Scope of broadcast/communication/recording	broadcast by radio [or the press], of works intended for teaching
Type(s) of source work(s)	extracts, fragments of poetry and separate articles
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	author
Subject to Remuneration	not required ("Reproduction is not unlawful")

Provision	Art. 45.2
Scope of broadcast/communication/recording	broadcast by radio [or the press]
Type(s) of source work(s)	oral lessons given by [inter alia] teachers
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("Reproduction is not unlawful")

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Uzbekistan

1. Legislation Reviewed

Law of the Republic of Uzbekistan No. 42 of July 20, 2006 on Copyright and Related Rights

2. Private/Personal Use

Provision	Arts. 33, 53.2 ³³⁸⁷
Scope of private/personal use	reproduction
Type(s) of source work(s)	audiovisual work or phonorecord, (performance, broadcast) ³³⁸⁸
Entity exercising private/personal use	(natural person) ³³⁸⁹
Purpose of private/personal use	personal purposes
Condition of private/personal use	no extraction of revenue
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration ³³⁹⁰ payable by producer and importers of equipment (audio or video tape recorders, and other equipment) and tangible mediums (audio and (or) video tapes and cassettes, cd, and other tangible mediums), to account of CMOs, ³³⁹¹ to be distributed among authors, executors [performers], producers of phonorecords, manufacturers of audiovisual records ³³⁹²

3. Quotations

Provision	Art. 26.1(i)
Scope of quotation	quotation, in original and in translation
Type(s) of source work(s)	a work, including the reproduction of passages of newspaper and journal articles in form of print sample
Entity exercising quotation	
Purpose of quotation	scientific, research, polemic, crucial and not related to advertising information purposes of

³³⁸⁷ Art. 53.2 describes the use for personal purposes as “without payment of remuneration” but Art. 33 describes this use of related rights as with “remuneration”.

³³⁸⁸ Art. 53.2.

³³⁸⁹ Art. 53.2.

³³⁹⁰ Art. 33.1.

³³⁹¹ Art. 33.3.

³³⁹² Art. 33 para. 2 (providing that rates of collecting levy as remuneration and terms and procedure for its collection are established by the cabinet of ministers of Uzbekistan). Art. 33 para. 4 provides that the proportion of remuneration distributed is authors (40%), executors (30%), producers of phonorecords/manufacturers of audiovisual works (30%).

	proclaimed works in volume
Condition of quotation	justified by quotation purpose
Preclusions (not part of quotation)	use did not damage the normal use of the work and the legal interests of author are not restrained ³³⁹³
Subject to Attribution	source, author
Subject to Remuneration	not required ("free use of work")

Provision	Art. 53.1(iii)
Scope of quotation	quotation
Type(s) of source work(s)	small extracts of performances, phonorecords, transmissions of organization of on-the-air and cable broadcasting
Entity exercising quotation	
Purpose of quotation	scientific, research, polemic, critical or information purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

4. Research/Educational Reproduction

Provision	Art. 27(ii)
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	particular articles and small-scale works, published in collections, newspapers, and in the other periodicals, short extracts of published written works (with illustrations or without)
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	for class hours
Condition of reproduction	without the purpose of deriving the revenue
Frequency/copies and limits	a single copy
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("without payment of remuneration")

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 26.1(ii)
Scope of anthologies/compilations limitation/exception	use, as illustrations in editions
Type(s) of source work(s)	works or passages of such works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational and training character in volume

³³⁹³ Art. 26.1.

Condition of anthologies/compilations limitation/exception	use justified by stated goal
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	use did not damage the normal use of the work and the legal interests of author are not restrained ³³⁹⁴
Subject to Attribution	source, author
Subject to Remuneration	not required ("free use of work")

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 53.1(ii)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performance [execution], on-the-air transmissions, cable broadcasting and their records, phonorecords and their reproductions
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exceptionally with a view of training or scientific research
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("without payment of remuneration")

Provision	Art. 26.1(ii)
Scope of broadcast/communication/recording	use, as illustrations in radio or tv-programs, audio or videotapings
Type(s) of source work(s)	promulgated works or passages of such works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational and training character in volume
Condition of broadcast/communication/recording	use justified by stated goal
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	use did not damage the normal use of the work and the legal interests of author are not restrained
Subject to Attribution	source, author
Subject to Remuneration	not required ("free use of work")

³³⁹⁴ Art. 26.1.

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Vanuatu

1. Legislation Reviewed

Copyright and Related Rights Act 2000 (No. 42 of 2000; version dated 8 February 2011)

2. Private/Personal Use

Provision	s 10
Scope of private/personal use	reproduce
Type(s) of source work(s)	a published work, (a performance, phonogram, sound recording, broadcast) ³³⁹⁵
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Frequency/copies and limits	in a single copy
Preclusions (not part of private/personal use)	a work of architecture in the form of a building or other construction, whole or substantial part of a book or musical notation, whole or substantial part of a database, computer program ³³⁹⁶ , any work where "reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright"
Subject to Attribution	
Subject to Remuneration	not required ("not an infringement")

3. Quotations

Provision	s 12
Scope of quotation	reproduction
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, sound recording, broadcast) ³³⁹⁷
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if indicated on source)
Subject to Remuneration	not required ("not ... an infringement")

Provision	s 15(6)
Scope of quotation	fair dealing ³³⁹⁸

³³⁹⁵ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

³³⁹⁶ S 16 (excepting use of the computer program and for backup/archival purposes).

³³⁹⁷ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

Type(s) of source work(s)	a work, (a performance, phonogram, sound recording, broadcast) ³³⁹⁹
Entity exercising quotation	
Purpose of quotation	for purpose of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author (if practicable)
Subject to Remuneration	not required ("not constitute an infringement")

4. Research/Educational Reproduction

Provision	s 13(1)
Scope of research/educational reproduction	reproduction, by way of illustration, in writing
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, sound recording, broadcast) ³⁴⁰⁰
Entity exercising reproduction	educational institution
Purpose of educational reproduction	teaching purposes
Condition of reproduction	reproduction is compatible with fair practice no collective licence available to educational institution to reproduce the works
Frequency/copies and limits	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	source, author (as far as practicable)
Subject to Remuneration	not required ("not an infringement of the copyright")

Provision	s 13(3)
Scope of research/educational reproduction	fair dealing
Type(s) of source work(s)	a work, (a performance, phonogram, sound recording, broadcast) ³⁴⁰¹
Entity exercising reproduction	
Purpose of educational reproduction	purpose of research or study
Condition of reproduction	[subject to regulations] ³⁴⁰²
Frequency/copies and limits	

³³⁹⁸ s 44(2) (providing for regulations which prescribe fair dealings with works that do not constitute an infringement of the copyright in the work, and prescribe fair dealings in relation to performances, sound recordings or broadcasts that do not constitute an infringement of a protected right).

³³⁹⁹ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

³⁴⁰⁰ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

³⁴⁰¹ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

³⁴⁰² s 44(2) (providing for regulations which prescribe fair dealings with works that do not constitute an infringement of the copyright in the work, and prescribe fair dealings in relation to performances, sound recordings or broadcasts that do not constitute an infringement of a protected right).

Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("not constitute an infringement of the copyright")

Provision	s 32(1)(b)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, sound recording, broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for scientific research
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do not apply")

Provision	s 32(1)(c)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, sound recording, broadcast, except for performances and phonograms which have been published as teaching or instructional materials
Entity exercising reproduction	
Purpose of educational reproduction	solely for the purpose of teaching activities
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("[neighbouring rights] do not apply")

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 13(1)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, sound recording, broadcast) ³⁴⁰³
Entity exercising broadcast/communication/recording	educational institution

³⁴⁰³ s 32(1)(d) (acts pertaining to related rights to not apply if they related to a work and are not an infringement of copyright in the work).

Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice no collective licence available to educational institution to reproduce the works
Frequency/limits of broadcast/communication/recording	reproduction does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, author (as far as practicable)
Subject to Remuneration	not required ("not an infringement of the copyright")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Venezuela (Bolivarian Republic of)

1. Legislation Reviewed

Law on Copyright (of August 14, 1993)

2. Private/Personal Use

Provision	Art. 43.1
Scope of private/personal use	communication
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ³⁴⁰⁴
Entity exercising private/personal use	
Purpose of private/personal use	occurring in a domestic environment
Condition of private/personal use	no profit-making purpose
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("lawful communications")

Provision	Art. 44.1
Scope of private/personal use	reproduction
Type(s) of source work(s)	a printed, sound or audiovisual work, (a performance, phonogram, broadcast) ³⁴⁰⁵
Entity exercising private/personal use	
Purpose of private/personal use	exclusive personal use of the user
Condition of private/personal use	copy is made by person with his own facilities
Frequency/copies and limits	in one copy
Preclusions (not part of private/personal use)	computer program ³⁴⁰⁶
Subject to Attribution	
Subject to Remuneration	not required ("lawful reproductions")

Provision	Art. 44.2
Scope of private/personal use	photomechanical reproduction, as by photocopying and microfilm
Type(s) of source work(s)	small parts of a protected work or works that are out of print, (a performance, phonogram, broadcast) ³⁴⁰⁷
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes ³⁴⁰⁸
Condition of private/personal use	

³⁴⁰⁴ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

³⁴⁰⁵ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

³⁴⁰⁶ Art. 44(5) (excepting for backup/archival purposes).

³⁴⁰⁷ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

³⁴⁰⁸ Art. 44.2 (providing that "any use of the reproduced material for other than personal purposes that is made in competition with the author's exclusive right to exploit his work shall be deemed equivalent to unlawful reproduction").

Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration that the companies, institutions and other organizations offering photocopying and microfilming service to the public have to pay to the owners of the right of reproduction

Provision	Art. 44.8
Scope of private/personal use	copying
Type(s) of source work(s)	works of art, (a performance, phonogram, broadcast) ³⁴⁰⁹
Entity exercising private/personal use	
Purpose of private/personal use	strictly for the purposes of study
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	not required ("lawful reproductions")

3. Quotations

Provision	Art. 46.1
Scope of quotation	inclusion, in an original scientific work
Type(s) of source work(s)	an already published work, (a performance, phonogram, broadcast) ³⁴¹⁰
Entity exercising quotation	
Purpose of quotation	with a view to the clarification of the contents thereof
Condition of quotation	to the extent justified by that purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall ... be lawful")

Provision	Art. 46.1
Scope of quotation	reproduction
Type(s) of source work(s)	a work of art that has not been published but is permanently on public display
Entity exercising quotation	
Purpose of quotation	with a view to the clarification of the contents thereof
Condition of quotation	to the extent justified by that purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, author

³⁴⁰⁹ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

³⁴¹⁰ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

Subject to Remuneration	not required ("shall ... be lawful")
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Provision	Art. 46.2
Scope of quotation	quotation, in an original work
Type(s) of source work(s)	certain parts of an already disclosed work, (a performance, phonogram, broadcast) ³⁴¹¹
Entity exercising quotation	
Purpose of quotation	author has made use of language as a means of expression in the original work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, author
Subject to Remuneration	not required ("shall ... be lawful")

4. Research/Educational Reproduction

Provision	Art. 44.3
Scope of research/educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles, brief extracts from works or lawfully published short works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or holding of examinations in educational institutions
Condition of reproduction	no profit-making purposes use is in keeping with proper practice
Frequency/copies and limits	to extent justified by the purpose
Preclusions (not part of research/educational reproduction)	
Subject to Attribution	
Subject to Remuneration	not required ("lawful reproductions")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 43.3
Scope of school performance	communication [includes "stage performance, recitation, reading and public enactment of dramatic, dramatico-musical, literary and musical works by any means or process" and "public screening or showing of cinematographic and other audiovisual works"] ³⁴¹²
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ³⁴¹³
Entity exercising school performance	educational establishments

³⁴¹¹ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

³⁴¹² Arts. 40.1 and 40.2 respectively.

³⁴¹³ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

Purpose of school performance	strictly scientific and teaching purposes
Condition of school performance	no gainful intent
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("lawful communications")

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 43.3
Scope of broadcast/communication/recording	communication ³⁴¹⁴
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ³⁴¹⁵
Entity exercising broadcast/communication/recording	educational establishments
Purpose of broadcast/communication/recording	strictly scientific and teaching purposes
Condition of broadcast/communication/recording	no gainful intent
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	not required ("lawful communications")

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

³⁴¹⁴ Art. 40.9 (defining "communication to the public" as including dissemination, by any known or future process, of signs, words, sounds or images).

³⁴¹⁵ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

Viet Nam

1. Legislation Reviewed

Law No. 50/2005/QH11 of November 29, 2005, on Intellectual Property (promulgated by the Order No. 28/2005/L-CTN of December 12, 2005, of the President of the Socialist Republic of Vietnam)

2. Private/Personal Use

3. Quotations

Provision	Art. 25.1.b
Scope of quotation	reasonable recitation
Type(s) of source work(s)	published works
Entity exercising quotation	
Purpose of quotation	commentary or illustrative purpose
Condition of quotation	without misrepresenting the authors' views
Preclusions (not part of quotation)	use "must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders" ³⁴¹⁶
Subject to Attribution	source/origin, author ³⁴¹⁷
Subject to Remuneration	not required ("payment of royalties ... not required")

4. Research/Educational Reproduction

Provision	Art. 25.1.a
Scope of research/educational reproduction	duplication
Type(s) of source work(s)	published works
Entity exercising reproduction	
Purpose of educational reproduction	scientific research or teaching purpose
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use "must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders" ³⁴¹⁸
Subject to Attribution	source/origin, author ³⁴¹⁹
Subject to Remuneration	not required ("payment of royalties ... not required")

Provision	Art. 25.1.d
Scope of research/educational reproduction	recitation
Type(s) of source work(s)	published works
Entity exercising reproduction	in schools
Purpose of educational reproduction	lecturing purposes
Condition of reproduction	without misrepresenting the authors' views

³⁴¹⁶ Art. 25.2.

³⁴¹⁷ Art. 25.2.

³⁴¹⁸ Art. 25.2.

³⁴¹⁹ Art. 25.2.

	not for commercial purpose
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use “must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders” ³⁴²⁰
Subject to Attribution	source/origin, author ³⁴²¹
Subject to Remuneration	not required (“payment of royalties ... not required”)

Provision	Art. 32.1.a
Scope of research/educational reproduction	duplication
Type(s) of source work(s)	works by authors [sic]
Entity exercising reproduction	
Purpose of educational reproduction	scientific research purpose
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use “must neither affect the normal utilization of performances, phonograms, video recordings or broadcasts, nor cause any prejudice to the rights of performers, producers of phonograms and video recordings, and broadcasting organizations” ³⁴²²
Subject to Attribution	
Subject to Remuneration	not required (“payment of royalties and/or remunerations ... not required”)

Provision	Art. 32.1.b
Scope of research/educational reproduction	duplication
Type(s) of source work(s)	works by authors [sic] (except for performances, phonograms, video recordings or broadcasts which have been published for teaching purpose)
Entity exercising reproduction	
Purpose of educational reproduction	teaching purpose
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	use “must neither affect the normal utilization of performances, phonograms, video recordings or broadcasts, nor cause any prejudice to the rights of performers, producers of phonograms and video recordings, and broadcasting organizations” ³⁴²³
Subject to Attribution	
Subject to Remuneration	not required (“payment of royalties and/or remunerations ... not required”)

³⁴²⁰ Art. 25.2.

³⁴²¹ Art. 25.2.

³⁴²² Art. 32.2.

³⁴²³ Art. 32.2.

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25.1.g
Scope of broadcast/communication/recording	audiovisual recording
Type(s) of source work(s)	performances
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purpose
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	use "must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders" ³⁴²⁴
Subject to Attribution	source/origin, author ³⁴²⁵
Subject to Remuneration	not required ("payment of royalties ... not required")

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

³⁴²⁴ Art. 25.2.

³⁴²⁵ Art. 25.2.

Yemen

1. Legislation Reviewed

Intellectual Property Law (Presidential Law Decree No. 19 of 1994 in respect of Intellectual Property)

2. Private/Personal Use

Provision	Art. 15.2
Scope of private/personal use	reading, quoting paragraphs or chapters, summarizing them
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal knowledge or for using them in studies and research
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	title, author, place and date of issue, chapter/para/page number ³⁴²⁶
Subject to Remuneration	

3. Quotations

Provision	Art. 28
Scope of quotation	quotation
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author, place and date of issue, chapter/para/page number ³⁴²⁷
Subject to Remuneration	not required ³⁴²⁸

4. Research/Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 16
Scope of anthologies/compilations limitation/exception	used for forming a new independent work
Type(s) of source work(s)	a published work

³⁴²⁶ Art. 15.2.

³⁴²⁷ Art. 15.2.

³⁴²⁸ Presumably if quotation complies with attribution requirements, it is not an infringement and no penalty or compensation is payable.

Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as regards innovation
Condition of anthologies/compilations limitation/exception	
Frequency/copies and limits	
Preclusions (not part of anthologies/compilations limitation/exception)	converting a novel to a play or to a scenario or vice versa, converting a play into a scenario or vice versa, changing a poem to a song and vice versa
Subject to Attribution	author
Subject to Remuneration	not required ("without paying the authorship remuneration")

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Zambia

1. Legislation Reviewed

Copyright and Performance Rights Act, 1994 (Act No. 44 of 1994)

2. Private/Personal Use

Provision	ss 21(1)(a), 50(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work, (a performance, recording) ³⁴²⁹
Entity exercising private/personal use	an individual
Purpose of private/personal use	private study or research for his personal purposes
Condition of private/personal use	otherwise than for profit
Frequency/copies and limits	
Preclusions (not part of private/personal use)	any act which “conflicts with the normal commercial exploitation of a work/performance; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright/performer/holder of recording right in a work” shall not be treated as fair dealing with the work ³⁴³⁰
Subject to Attribution	
Subject to Remuneration	not required ("not constitute infringement of copyright")

3. Quotations

Provision	ss 21(1)(b), 50(1)(b)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (a performance, recording) ³⁴³¹
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work/performance or any other work/performance
Condition of quotation	
Preclusions (not part of quotation)	any act which “conflicts with the normal commercial exploitation of a work/performance; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright/performer/holder of recording right in a work” shall not be treated as fair dealing with the work ³⁴³²

³⁴²⁹ S 50(1)(a).

³⁴³⁰ Ss 21(2)(i), 50(2).

³⁴³¹ S 50(1)(b).

³⁴³² Ss 21(2)(i), 50(2).

Subject to Attribution	title, author (unless anonymous or author has required no acknowledgment) ³⁴³³ , (performer) ³⁴³⁴
Subject to Remuneration	not required ("not constitute infringement of copyright")

4. Research/Educational Reproduction

Provision	s 21(1)(f)(i)
Scope of research/educational reproduction	reproduction not made by means of an appliance capable of producing multiple copies
Type(s) of source work(s)	a work
Entity exercising reproduction	by a teacher or pupil in the course of instruction
Purpose of educational reproduction	education system of Zambia
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	excepting any act which "conflicts with the normal commercial exploitation of a work; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright in a work" ³⁴³⁵
Subject to Attribution	
Subject to Remuneration	not required ("not constitute infringement of copyright")

Provision	s 21(1)(f)(ii), (iii)
Scope of research/educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	education system of Zambia, as part of the questions to be answered in an examination or in answer to such questions
Condition of reproduction	
Frequency/copies and limits	
Preclusions (not part of research/educational reproduction)	excepting any act which "conflicts with the normal commercial exploitation of a work; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright in a work" ³⁴³⁶
Subject to Attribution	
Subject to Remuneration	not required ("not constitute infringement of copyright")

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 21(1)(g)
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³⁴³³ S 21(4) (defining "sufficient acknowledgement").

³⁴³⁴ S 50(3).

³⁴³⁵ S 21(2)(ii).

³⁴³⁶ S 21(2)(ii).

Scope of school performance	performance
Type(s) of source work(s)	a dramatic work
Entity exercising school performance	staff and students of a school or other educational institution
Purpose of school performance	for the purposes of the education system of Zambia in the course of the activities of the school or institution
Condition of school performance	audience is composed exclusively of staff and students of the school or institution, parents and guardians of the students, other persons directly connected with the activities of the school or institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	not required ("not constitute infringement of copyright")

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 55(2)
Nature of compulsory licence for translation for educational purposes	licence, for translation into a language in general use in Zambia, and publication of such translation in copies
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	work in printed or analogous form, or an audiovisual work produced solely for the purpose of systematic instruction, is the subject of, or contains material the subject of copyright under this Act ³⁴³⁷
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ³⁴³⁸
Purpose of licence	
Condition of licence	licence application may be made: 3 years from first publication ³⁴³⁹ work has not been previously translated into a language in general use in Zambia ³⁴⁴⁰
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Registrar

Provision	s 55(3)
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³⁴³⁷ S 55(2)(a), (b).³⁴³⁸ S 55(2) proviso.³⁴³⁹ S 55(2) proviso.³⁴⁴⁰ S 55(2) proviso.

Nature of compulsory licence for translation for educational purposes	licence, for translation for the purpose of broadcasting, and to broadcast
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a literary work subject to copyright, or any material subject to copyright contained in an audiovisual work produced solely for the purposes of systematic instruction ³⁴⁴¹
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ³⁴⁴²
Purpose of licence	
Condition of licence	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Registrar

Provision	s 55(4)
Nature of compulsory licence for reproduction for educational purposes	licence, for reproduction and distribution in Zambia ³⁴⁴³
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	a work in printed or analogous form, or in audiovisual form
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ³⁴⁴⁴
Purpose of licence	
Condition of licence	work has not been previously made available to the public in Zambia for: 3 years from first publication (for works of the natural and physical sciences, mathematics or technology) 7 years from first publication (for works of fiction, poetry, drama or music or art books) 5 years from first publication (in any other case) ³⁴⁴⁵
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	Registrar

9. TPM/RMI Exceptions for Educational Purposes

³⁴⁴¹ S 55(3)(a), (b).

³⁴⁴² S 55(2) proviso.

³⁴⁴³ S 55(4) proviso.

³⁴⁴⁴ S 55(4) proviso.

³⁴⁴⁵ S 55(4)(i), (ii), (iii).

Zimbabwe

1. Legislation Reviewed

Copyright and Neighbouring Rights Act (Chapter 26:05)

2. Private/Personal Use

Provision	s 24(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work
Entity exercising private/personal use	a person
Purpose of private/personal use	research or private study by the person using the work
Condition of private/personal use	
Frequency/copies and limits	
Preclusions (not part of private/personal use)	person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time ³⁴⁴⁶
Subject to Attribution	
Subject to Remuneration	not required ("copyright ... shall not be infringed")

Provision	s 42
Scope of private/personal use	recording
Type(s) of source work(s)	a sound recording/broadcast or a musical work embodied in a sound recording/broadcast, (a performance, performance recording) ³⁴⁴⁷
Entity exercising private/personal use	a person
Purpose of private/personal use	private use of himself and members of his family
Condition of private/personal use	recording shall not be distributed to any person outside the family of the person who made it recording shall not be performed in public
Frequency/copies and limits	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(not yet enacted) levy as remuneration payable on blank records (which can be used for recording of works), to be distributed among authors and performers ³⁴⁴⁸

³⁴⁴⁶ S 24(2).

³⁴⁴⁷ S 73(1)(a) (applying s 42 to exceptions to rights of performers and holders of recording rights).

³⁴⁴⁸ S 135(2)(c)(i), (ii) (providing for regulations which the Minister may provide for this purpose).

3. Quotations

Provision	s 29(1)(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (a performance, performance recording) ³⁴⁴⁹
Entity exercising quotation	
Purpose of quotation	for the purposes of criticism or review of that work or of another work or of the performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ³⁴⁵⁰
Subject to Remuneration	not required ("not be infringed")

Provision	s 31
Scope of quotation	any quotation
Type(s) of source work(s)	a literary or musical work, including an article in a journal that summarises the work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ³⁴⁵¹
Subject to Remuneration	not required ("not be infringed")

4. Research/Educational Reproduction

Provision	s 25(2)
Scope of research/educational reproduction	anything done
Type(s) of source work(s)	a work, (a performance, performance recording) ³⁴⁵²
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting questions, communicating the questions to the candidates or answering the questions
Condition of reproduction	
Frequency/copies and limits	

³⁴⁴⁹ S 73(1)(a) (applying s 29 to exceptions to rights of performers and holders of recording rights).

³⁴⁵⁰ S 2 (defining "sufficient acknowledgement").

³⁴⁵¹ S 2 (defining "sufficient acknowledgement").

³⁴⁵² S 73(1)(a) (applying s 25(2) to exceptions to rights of performers and holders of recording rights).

Preclusions (not part of research/educational reproduction)	excluding making a copy of the score of a musical work for use by an examination candidate in performing the work not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work” ³⁴⁵³
Subject to Attribution	
Subject to Remuneration	not required ("not be infringed")

Provision	s 25(6)
Scope of research/educational reproduction	reprographic copying
Type(s) of source work(s)	passages from a literary or musical work
Entity exercising reproduction	educational establishment
Purpose of educational reproduction	purposes of instruction
Condition of reproduction	no copying if, or to extent that, licences/licensing scheme is available authorizing copying and person making copies knows or ought to have been aware of licences ³⁴⁵⁴
Frequency/copies and limits	extent of such copying to not exceed such limits as may be prescribed ³⁴⁵⁵
Preclusions (not part of research/educational reproduction)	not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work” ³⁴⁵⁶
Subject to Attribution	
Subject to Remuneration	(not yet enacted) levy as remuneration payable on use of any reprographic apparatus or process (for reprographic copying by educational institutions), to be distributed among authors ³⁴⁵⁷

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 25(1)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in any publication
Type(s) of source work(s)	a work, (a performance, performance recording) ³⁴⁵⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations	use is compatible with fair practice

³⁴⁵³ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁵⁴ S 25(6)(ii).

³⁴⁵⁵ S 25(6)(i).

³⁴⁵⁶ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁵⁷ S 135(2)(c)(i), (ii) (providing for regulations which the Minister may provide for this purpose).

³⁴⁵⁸ S 73(1)(a) (applying s 25(1) to exceptions to rights of performers and holders of recording rights).

limitation/exception	
Frequency/copies and limits	extent of use is justified by purpose
Preclusions (not part of anthologies/compilations limitation/exception)	not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁵⁹
Subject to Attribution	title, author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ³⁴⁶⁰
Subject to Remuneration	not required ("not be infringed")

Provision	s 25(3)
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement consists mainly of material in which no copyright subsists source work itself is not intended for use in educational establishments
Frequency/copies and limits	no more than 2 excerpts from works by same author are contained in collections by same publisher within 5 year period
Preclusions (not part of anthologies/compilations limitation/exception)	not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁶¹
Subject to Attribution	title, author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ³⁴⁶²
Subject to Remuneration	not required ("shall not infringe the copyright in the work")

6. School Performances

Provision	s 25(4)
Scope of school performance	performance
Type(s) of source work(s)	a dramatic or musical work, (a performance, performance recording) ³⁴⁶³

³⁴⁵⁹ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁶⁰ S 2 (defining "sufficient acknowledgement").

³⁴⁶¹ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁶² S 2 (defining "sufficient acknowledgement").

³⁴⁶³ S 73(1)(a) (applying s 25(4) to exceptions to rights of performers and holders of recording rights).

Entity exercising school performance	by a teacher or pupil in the course of the establishment's activities; or by any person for the purposes of instruction at the educational establishment
Purpose of school performance	
Condition of school performance	before an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ³⁴⁶⁴ with the establishment's activities
Preclusions (not part of school performance)	not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁶⁵
Subject to Attribution	
Subject to Remuneration	not required ("not be regarded as a public performance for the purposes of infringement of copyright")

Provision	s 25(5)
Scope of school performance	playing or showing
Type(s) of source work(s)	an audiovisual work, sound recording, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	for purposes of instruction
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other "persons directly connected" ³⁴⁶⁶ with the establishment's activities
Preclusions (not part of school performance)	not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁶⁷
Subject to Attribution	
Subject to Remuneration	not required ("not be regarded as a public performance of the work for the purposes of infringement")

7. Educational Broadcasts/Communications/Recordings

Provision	s 25(1)
Scope of broadcast/communication/recording	use, by way of illustration in any broadcast or record
Type(s) of source work(s)	a work, (a performance, performance recording) ³⁴⁶⁸

³⁴⁶⁴ S 25(4) (excluding parents of pupils per se from "persons directly connected with the activities of the educational establishment").

³⁴⁶⁵ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁶⁶ S 25(5) (excluding parents of pupils per se from "persons directly connected with the activities of the educational establishment").

³⁴⁶⁷ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁶⁸ S 73(1)(a) (applying s 25(1) to exceptions to rights of performers and holders of recording rights).

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is compatible with fair practice
Frequency/limits of broadcast/communication/recording	extent of use is justified by purpose
Preclusions (not part of broadcast/communication/recording)	not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁶⁹
Subject to Attribution	title, author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ³⁴⁷⁰
Subject to Remuneration	not required ("not be infringed")

Provision	s 25(2)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a work, (a performance, performance recording) ³⁴⁷¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an examination by way of setting questions, communicating the questions to the candidates or answering the questions
Condition of broadcast/communication/recording	
Frequency/limits of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	excluding making a copy of the score of a musical work for use by an examination candidate in performing the work not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ³⁴⁷²
Subject to Attribution	
Subject to Remuneration	not required ("not be infringed")

8. Compulsory Licences for Educational Reproductions and Translations

³⁴⁶⁹ S 25(7) (applying qualification to all exceptions permitted by s 25).

³⁴⁷⁰ S 2 (defining "sufficient acknowledgement").

³⁴⁷¹ S 73(1)(a) (applying s 25(2) to exceptions to rights of performers and holders of recording rights).

³⁴⁷² S 25(7) (applying qualification to all exceptions permitted by s 25).

Provision	s 135(2)(b)(ii) ³⁴⁷³
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any work
Licence applicant/entity	
Purpose of licence	purpose of teaching, scholarship or research
Condition of licence	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests of the owner of the copyright in the work concerned ³⁴⁷⁴
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

Provision	s 135(2)(b)(ii) ³⁴⁷⁵
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for use in a broadcast
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any work
Licence applicant/entity	
Purpose of licence	purpose of teaching, scholarship or research
Condition of licence	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests of the owner of the copyright in the work concerned ³⁴⁷⁶
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

Provision	s 135(2)(b)(i) ³⁴⁷⁷
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproduction, publication, performance, or circulation
Facilities provided in Paris Act, Appendix	NA
Type(s) of source work(s)	any work
Licence applicant/entity	educational institutions

³⁴⁷³ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

³⁴⁷⁴ S 135(2)(b) proviso.

³⁴⁷⁵ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

³⁴⁷⁶ S 135(2)(b) proviso.

³⁴⁷⁷ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

Purpose of licence	
Condition of licence	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests of the owner of the copyright in the work concerned ³⁴⁷⁸
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of compulsory licence	

9. TPM/RMI Exceptions for Educational Purposes

³⁴⁷⁸ S 135(2)(b) proviso.